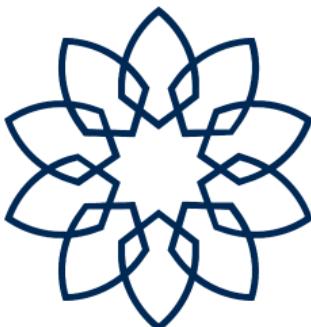


Islamic Principles of War for the Twenty-first Century



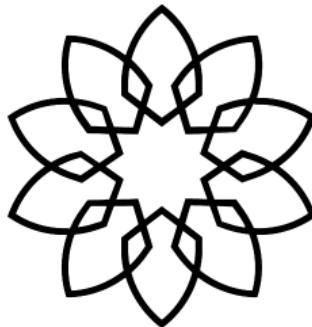
Professor Joel Hayward

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Islamic Principles of War for the Twenty-first Century



Professor Joel Hayward

Islamic Principles of War for the Twenty-first Century

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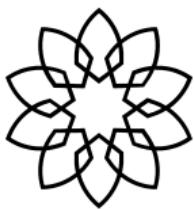
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ABSTRACT

Almost all western and other developed states use Principles of War as guiding ideas for military practitioners (especially those who serve at the operational and tactical levels) on how best to use combat power in order to gain maximum advantage. These Principles of War are virtually ubiquitous in cadet and officer colleges and in doctrine manuals. Islamic law, on the other hand, has nothing comparable, and least nothing from the modern world. It has always seriously and proactively engaged with ideas about how to ensure that war is fought for morally just causes. Yet, since the medieval period, Islam has not updated its thoughts on what principles might best enhance combat effectiveness in order to win battles and wars with the maximum effectiveness, the minimum use of force and the minimum likelihood of harm to the innocent. This study investigates whether one can draw such principles from the Qur'an and the life of the Islamic Prophet Muhammad that might serve as guidelines for Islamic armed forces in the twenty-first century, an era dominated by careless disregard for human life and by what is euphemistically called Collateral Damage. Within the earliest extant Arabic sources, this study identifies nine principles—these being Virtuous Objective, Legitimacy, Unity of Command and Effort, Consultative Decision-Making, Offensive Action, Defensive Security, Morale, Restraint, and Deception—that were integral in the warfighting of the Prophet. The author hopes that the anal-

ysis might, if widely read in the right circles, prompt further thought and research within Islamic states and their militaries so that something like an agreed set of Islamic Principles of War could eventually emerge and be of utility.

ABOUT THE AUTHOR

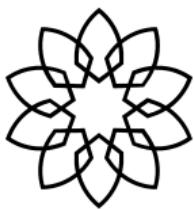
Professor Joel Hayward is a New Zealand-British scholar, writer and poet who currently serves as Professor of Strategic Thought at the National Defense College of the United Arab Emirates. He has earned *ijazas* in *'Aqidah* (Islamic theology) and *Sirah* (the Prophet's biography). He has held various academic leadership posts, including Director of the Institute for International and Civil Security at Khalifa University (UAE), Chair of the Department of Humanities and Social Sciences (also at Khalifa University), Head of Air Power Studies at King's College London, and Dean of the Royal Air Force College (both UK). He is the author or editor of fifteen books and monographs and dozens of peer-reviewed articles, mainly in the fields of strategic studies, the ethics of war and conflict, and Islamic and modern western history. His recent works include *Warfare in the Qur'an* (2012), *War is Deceit: An Analysis of a Contentious Hadith on the Morality of Military Deception* (2017), *Civilian Immunity in Foundational Islamic Strategic Thought: A Historical Enquiry* (2018) and *The Leadership of Muhammad* (2020).

Professor Hayward has given strategic advice to political and military leaders in several countries, has given policy advice to prominent sheikhs, and was tutor to His Royal Highness Prince William of Wales, Duke of Cambridge. In 2011 he was

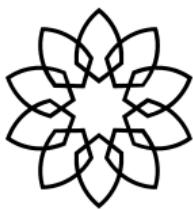
elected as a Fellow of the Royal Society of Arts and in 2012 he was elected as a Fellow of the Royal Historical Society. In 2016 he was named as the “Best Professor of Humanities and Social Sciences” at the Middle East Education Leadership Awards. Professor Hayward is also active in the literary arts and has published three books of fiction and four collections of Islamic poetry.

DISCLAIMER

The opinions expressed in this work are those of the author and do not reflect the views of the National Defense College or the United Arab Emirates government.



Islamic Principles of War for the Twenty-first Century



Throughout the last two hundred years, theorists in various countries have tried to articulate guiding principles that reportedly convey to practitioners—especially those who serve at the operational and tactical levels but also those who make strategy—how best to use combat power. Since before the Second World War, “Principles of War” have become ubiquitous in field manuals and doctrine publications and have been widely taught in military colleges.

Interestingly, when tracing the evolution of these lists of principles, scholars and commentators see that evolution as essentially the development of a European or western set of ideas. They only occasionally mention the Chinese military philosopher Sun Tzu as evidence that principles of war also existed outside of the western tradition.

There is little to be gained by suggesting that this focus is based on any cultural or civilization bias. It seems instead to result from the limited knowledge that some western scholars and commentators have of the intellectual frameworks of other cultures and from a lack of fluency in the languages used within those culture to express those ideas.

Within the Arabic and wider Islamic civilization there is a defined, thoroughly understood and widely disseminated framework of ideas for maintaining both philosophical justice and morally just behaviour during wartime. This framework has evolved and become increasingly sophisticated throughout Islam’s long history, even though it rests upon 1400-year-old sources: Islam’s holy book, the Qur'an, and the character, conduct, and teachings of Islam’s final prophet,

Muhammad. Although not usually taught as a stand-alone set of rules or guidelines in the way that Just War is taught in the west, within the Islamic *Shari‘ah* (شريعة, the corpus of Islamic law and the rulings based upon it) a set of clear ethical principles of war do exist. They flow out of the Qur’anic revelation and the *Sunnah* (سنة, example), which are the practices and teachings of Muhammad, who was himself a highly successful military commander.

These principles were so clearly articulated and demonstrated during Muhammad’s lifetime¹ that his immediate successor, ‘Abdallah ibn Abi Quhafah, popularly known as Abu Bakr, was able to condense them down to “ten rules”. The Qur’an and Sunnah, plus Abu Bakr’s principles, have formed the bedrock upon which all Islamic ethical teachings on war have subsequently been developed.²

Yet neither Islamic jurists nor military practitioners have articulated, much less agreed upon, a set of guidelines, principles, axioms or even aphorisms that might frame the employment of combat power at the operational and tactical levels. The nearest thing is Muhammad’s insightful and oft-repeated statement that “war is deceit” (الحرب خدعة), meaning that combat is best understood as primarily a battle of wits, rather than of wills, and that it should be undertaken as creatively, cunningly and misleadingly as possible so as to keep opponents in a constant state of confusion.³ Muhammad was himself a master at making the enemy believe he was planning or doing one thing when in fact he was undertaking something completely different.⁴

Islamic countries nowadays mainly buy weapons and equipment on the international market that are produced

by western, Russian and now Chinese companies, and they buy relevant training packages from those same countries so that they know best how to utilize what they have spent their money on. They also seem strangely content to send many mid-career and senior personnel overseas to their staff colleges, and to accept the intellectual conceptualization of politics, strategy and war taught there. Islamic countries do so perhaps assuming that the ideas their personnel will receive are universal; that is, equally valid and applicable everywhere. Perhaps some are, but by learning from others how to understand and undertake warfare, they may be downplaying or even ignoring the rich experience of military theorists and practitioners from throughout the 1,400 years of Islamic political and military history. The example of the twentieth century, in which more civilians than combatants died, and in which civilians were routinely deliberately targeted (including horrifically by airpower in both world wars), suggests that the western way of war is far from being an ideal source of theory, principles and practice for Islamic military forces.

This analysis has the modest ambition of using the Qur'an and the *ahadith* to identify what the Prophet did and, by focusing on the activities that produced successful results, to attempt to use the patterns of causality to derive a set of Islamic principles of war. It is my hope that my analysis might, if widely read in the right circles, prompt further work within Islamic states and their militaries so that something like an agreed set of Islamic principles of war could eventually emerge and be of utility.

They could then be used as a decision-making aid during the formulation, planning, and execution of existing military

activities. They could also be used as an analytical tool to shape future planning as it is being developed. They could even be used as a framework to examine past activities in order to glean insights from success or failure, and to obtain any relevant lessons that could be applied to future activities.

In order to do so, it will be necessary to draw information from the Qur'an and from the two bodies of evidence dating from the ninth century CE: the six major Sunni collections of *ahadith*, أحاديث—“reports” or “traditions”, the recorded sayings and practices of Muhammad—and the earliest extant books of *Sirah* (prophetic biography), especially Ibn Hisham's *Al-Sirah al-Nabawiyyah*, Al-Waqidi's *Kitab al-Maghazi* and Ibn Sa'd's *Kitab al-Tabaqat al-Kabir*.⁵ It may be possible to use these sources to present a case study of Muhammad's life that will demystify some of his military ideas and processes and reveal principles of enduring utility.

This analysis is a work of strategic philosophy, not of *fiqh* (jurisprudence). The author is a scholar of history, war and ethics, not a theologian or *faqih* (jurist). Using the established methodology of the historical discipline, this study attempts to reconstruct seventh-century events by interpreting, explaining and evaluating the earliest sources, all the while keeping issues of truth, objectivity and bias firmly in mind. It does not attempt to confront the *fiqh* as it later evolved, but to reach beyond it, or more accurately *behind* it in time, to the historical events that once occurred in seventh-century Arabia. As a modest contribution to the strategic studies literature it attempts to analyse thematically rather than describe chronologically certain practices from within Muhammad's ten years as a military leader.

SECTION 1

An analysis of the extant early sources for Muhammad's life reveals that he had a strong understanding of the function of force as a means of attaining what might best be called political goals but were far more: they were grand moral-religious-cultural-social-political goals interwoven as part of a cohesive strategy. Muhammad did not like war, but understood its defensive necessity and offensive potential. He had what he himself called a sound grasp of military "judgment, strategy and tactics" (الرأيُ والخُبُرُ واللَّيْكِدَةُ).⁶ It is hard to argue against this, given that during only a decade, from 622 to 632 CE, he grew from an inexperienced and uncertain military leader to a highly successful, routinely successful and battle-hardened commander capable of expertly handling armies with thousands of warriors.

The tribal nature of seventh-century Arabian society tended to work against the establishment of any large-scale warfighting capability. Tribes and clans did frequently unite on an ad-hoc basis to deal with particular issues, but when military in nature these coalitions were seldom long-lasting and never permanent arrangements, partly due to decentralised leadership caused by sheikhs or leaders from each tribe or clan retaining authority over their own people. Even on some campaigns coalitions would dissolve when one or more of the tribal or clan chiefs felt slighted by another or believed that he and his people had gained an acceptable amount of booty or prestige, even if the original aim of the coalition remained unfulfilled. Recognising this, and wanting a more effective and reliable means of gaining security for his rapidly

expanding *umma*, and knowing that only a cohesive and capable force under centralized command (his own) could act as the desired agent of change, Muhammad set about transforming tribal militias into what became, under his successors, a regular standing army.

Muhammad was a military leader of the first order, with unusually high levels of aptitude, intuition, talent and capacity. He was also self-reflective about the way he undertook matters, learning quickly how to do something better each time and making mental notes of what worked or did not, so that he could embrace what succeeded and avoid what failed.

He was a profoundly effective leader. Drawing lessons from his military career is not hard, but expressing them as principles is considerably harder, given that he said relatively little that has survived about his concepts and practices. We have to draw inferential lessons from disconnected and anecdotal snippets in the *ahadith* and from descriptive and unexplained chronicles of his warfighting in the early biographies. It is nonetheless possible, and this author, a scholar of both Islam and warfare, has looked carefully for behavioural patterns and habits and extracted what he believes are the nine framing principles that Muhammad used.

In order of relative importance—but with all being integral elements of virtually every military operation undertaken by Muhammad, and thus essential—the nine principles are:

1. Virtuous Objective

All military operations must be directed toward a necessary, clearly defined, attainable and decisive objective which conforms to the highest standards of Islamic morality and which will, if

attained, create the best available conditions for security and peace.

2. Legitimacy

All military activity must be planned, ordered, controlled and undertaken by the legitimate leadership of the state who will ensure that its cause, course, conduct and consequences conform to the highest standards of Islamic morality, adhere to international law, and demonstrate both morality and legality to all observers.

3. Unity of Command and Effort

All military and supportive forces must operate under a single commander empowered with the legal and organizational authority to command and direct all forces utilized in pursuit of the virtuous objective, or, if this is not possible within a multinational operation, they must at least operate with clearly understood unity of effort.

4. Consultative Decision-Making

At the national level, the civilian and military leaders responsible for the use of force must take advice from each other and actively seek and take into consideration the views of all stakeholders or their representatives before any major decisions are taken.

5. Offensive Action

Because defensive actions seldom bring decisive results, all military operations must be directed offensively whenever possible to gaining, retaining and exploiting both freedom of

action and initiative—so that opponents are forced to react but cannot conduct their own plans.

6. Defensive Security

Carefully designed and sufficiently resourced security measures must be undertaken to permit freedom of offensive military action whilst protecting the state, the people and the forces by identifying and minimizing all vulnerabilities to hostile influence, acts or attacks.

7. Morale

Every effort must be made through strategic communication and engagement to persuade the people that the objective is necessary and virtuous, and—because its attainment might require time, effort, cost and sacrifice—every effort must be made at all stages to strengthen and maintain the people's patience, resolve, persistence, confidence, and wellbeing.

8. Restraint

Every effort and all restraint must be devoted to ensuring the use of no more force than is carefully calculated to be necessary at each stage to achieve the strategic goal and to prevent all possible loss of non-combatant life, all destruction of infrastructure, and all other collateral damage.

9. Deception

Every effort must be made to use secrecy, misinformation, and astute positional concentration or manoeuvre to create surprise, shock and confusion which will rob the opponent of preparation and response time and cause ineffective reactions.

SECTION 2

The historical basis of each principle, drawn from Muhammad's military career, will now be justified.

1. Virtuous Objective

All military operations must be directed toward a necessary, clearly defined, attainable and decisive objective which conforms to the highest standards of Islamic morality and which will, if attained, create the best available conditions for security and peace.

A reliable hadith serves as an invaluable start point for a discussion of war aims:

A man came to the Prophet ﷺ and asked, “One man fights for war booty. Another fights for fame. A third fights for prestige. Which one of them fights in Allah’s Cause?” The Prophet ﷺ replied, “The one who fights that Allah’s Word [or Laws] should be elevated above all else fights in Allah’s Cause.”⁷

By both logic and analogy we can deduce that if a man cannot fight with the intention of gaining profit, fame, or status, then a state certainly cannot do so.

Islam is a peace-seeking religion, but it is not pacifistic. Its theology, philosophy and corpus of law permit and even require war under certain circumstances, none of which differs from the categories or conditions of permissibility found in international humanitarian law. Islam not only permits a state

to defend itself when attacked; based on the logic that the protection of people is a paramount and obligatory responsibility of state leadership, Islam *requires* self-defence.

Most scholars agree that *Surah al-Hajj* 22:39, revealed shortly after Muhammad's emigration from Mecca to Medina in 622 CE, contains the first Qur'anic statement of permission to fight.⁸ It clearly refers to **self-defence**. Including the verses above and below, it says:

﴿إِنَّ اللَّهَ يَدْعَافُ عَنِ الَّذِينَ آمَنُوا إِنَّ اللَّهَ لَا يُحِبُّ كُلَّ حَوَانٍ كُوْرٌ ﴾
﴿أُذْنَ اللَّهِنَ يُقْاتَلُونَ بِأَنَّهُمْ ظُلْمُوا وَإِنَّ اللَّهَ عَلَى نَصْرِهِ لَقَدِيرٌ ﴾
﴿الَّذِينَ أَخْرَجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حِقْقٍ إِلَّا أَنْ يَقُولُوا رَبُّنَا اللَّهُ وَلَوْلَا دَفْعَ اللَّهِ النَّاسَ
بَعْضُهُمْ يَعْصِي لَهُدْمَتْ صَوَامِعُ وَبَيْعَ وَصَلَوَاتُ وَمَسَاجِدُ يَذْكُرُ فِيهَا
اسْمُ اللَّهِ كَثِيرًا وَلَيَنْصُرَنَّ اللَّهُ مَنْ يَتَصْرُهُ إِنَّ اللَّهَ لَغَوِيٌّ عَزِيزٌ﴾

Truly Allah defends those who believe: truly, Allah does not love anyone who is treacherous or ungrateful. Permission [to fight] is given to those who are being fought, because they are wronged, and truly, Allah is surely able to grant them victory. [They are] those who have been expelled from their homes in defiance of right except that they say, "Our Lord is Allah" ...

Explaining to fellow Muslims the need in some situations to undertake combat, Muhammad understood from revelation that warfare might *seem* very wrong, indeed as a "hateful" activity, but when fought for survival or justice it was actually

morally correct and necessary. As *Surah al-Baqarah* 2:216 says:

﴿كُتِبَ عَلَيْكُمُ الْقِتَالُ وَهُوَ كُرْهٌ لَّكُمْ وَعَسَى أَن تَكْرَهُوْا سَيِّئًا وَهُوَ خَيْرٌ لَّكُمْ وَعَسَى أَن تُحِبُّوْا سَيِّئًا وَهُوَ سُرُّ لَّكُمْ وَاللَّهُ عَلِمُ وَأَنَّهُ لَا يَعْلَمُونَ﴾

Fighting is prescribed for you, though it is hateful to you, but perhaps you hate a thing which is good for you, and perhaps you love a thing which is bad for you. And Allah knows while you do not know.

Elsewhere the Qur'an states that there is no moral blame for self-defensive warfare:

﴿وَلَمَنْ انتَصَرَ بَعْدَ ظُلْمٍ فَأُولَئِكَ مَا عَلَيْهِمْ مِّنْ سَيِّلٍ ﴿إِنَّ السَّيِّلَ عَلَى الَّذِينَ يَظْلِمُونَ النَّاسَ وَيَبْغُونَ فِي الْأَرْضِ بِغَيْرِ الْحِقْرِ أُولَئِكَ لَهُمْ عَذَابٌ أَلِيمٌ﴾

And whoever defend themselves after being wronged cannot be blamed. The blame is only held against the ones who oppress the people and rebel upon the earth without right. For them is a painful punishment.⁹

The Prophet also undertook warfare several times for **pre-emptive** purposes; meaning to strike first an opponent that intelligence revealed was preparing its own attack. For example, shortly after the conquest of Mecca in 632 CE,

Muhammad felt obliged to initiate a vast offensive operation in the direction of Hunayn to meet a large coalition force of the Hawazin and Thaqif tribes, which his spies discovered was preparing to attack Mecca.¹⁰ The Battle of Hunayn thus involved Muhammad marching out offensively to strike pre-emptively before being struck. It proved to be a great victory.

The Qur'an emphatically stresses that **fighting to protect the oppressed** and to rescue fellow Muslim believers is a solemn moral obligation:

﴿وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالسَّتْضَعَفِينَ مِنَ الرِّجَالِ
وَالِّسَّاءِ وَالْوَلَدَانِ الَّذِينَ يَعْوَلُونَ بَنَآ أَخْرَجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ
أَهْلُهُمَا وَاجْعَلْنَا مِنْ لَدُنَكُمْ وَلَيْلًا وَاجْعَلْنَا مِنْ لَدُنَكُمْ نَصِيرًا﴾

And why would you not fight in the cause of God and for the oppressed men, women, and children, who cry out: "Our Lord! Take us out of this town ruled by oppressors, and appoint for us from Yourself a protector, and appoint for us from Yourself a helper!"¹¹

Fighting for the righting of wrongs—especially to redress grave injustices that require punishment—is also required. The Qur'an states:

﴿أَلَا تُقَاتِلُونَ قَوْمًا نَّكُوا أَيْمَانَهُمْ وَهُمْ بِإِخْرَاجِ الرَّسُولِ وَهُمْ بَدْوُوكُ أَوَّلَ
مَرَّةٍ أَخْشَوْهُمْ فَاللَّهُ أَحْقُّ أَنْ تَخْشَوْهُ إِنْ كُنْتُمْ مُّؤْمِنِينَ ﴿٤٦﴾ قَاتِلُوهُمْ يُعَذِّبُهُمْ

اللَّهُ يَأْنِدُكُمْ وَيُغْرِبُهُمْ وَيَصْرُكُمْ عَلَيْهِمْ وَيَشْفَعُ صُدُورَ قَوْمٍ مُّؤْمِنِينَ ﴿١٢﴾

Will you not fight against the people who have broken their pledges and have determined to drive out the Messenger, and began hostilities against you? Do you fear them? But, assuredly Allah has greater right to be feared if you are believers. Fight them: Allah will punish them by your hands and humiliate them, and give you victory over them, and will put healing within the chests of the believing people.¹²

We also know that the Prophet saw the **protection of an Islamic state's social cohesion** as so important that threats to that cohesion must be rooted out and destroyed, by force if necessary. This concept is also expressed in the Qur'an, which required war against those who would commit *fitnah* or *fasad* (socially evil or seditious acts). The Qur'an says:

﴿وَقَاتِلُوهُمْ حَتَّىٰ لَا يَكُونُ فِتْنَةٌ وَيَكُونُ الَّذِينَ يَهُوَ فِي إِنْ اتَّهَمُوا فَلَا عُدُوٌّ إِلَّا عَلَى الظَّالِمِينَ﴾

And fight them until there is no longer rebellious division, and the religion is for Allah. However, if they desist, then there is no hostility except to any oppressors who persist.¹³

The protection of the state's periphery is also a just reason for war. In late Summer 630 CE, Muhammad heard

from Nabatean merchants that the Byzantines in Syria were preparing a large force for an invasion of Arabia.¹⁴ He therefore raised a large force himself—at around 30,000 the largest he ever led¹⁵—and headed north to prevent a Byzantine incursion and to protect allies in northern Arabia. As it turned out, the information was false and no enemy force was found. Yet the clear lesson from the example of the Prophet is that the periphery is as important as the centre. It needs safeguarding. So important was the safeguarding of the periphery to Muhammad that he stressed it in *ahadith*, such as this one:

It was narrated that Salman said: “I heard the Messenger of Allah ﷺ say: ‘Whoever guards *ribat* [the frontier] in the cause of Allah for one day and one night, he will have [a reward] like that of fasting and standing in prayer for a month. If he dies he will continue to receive reward for what he did, and he will be kept safe from Satan, and he will be given provision.’”¹⁶

It is clear, therefore, that a noble cause in Islam—one that would make going to war morally just—can be self-defence, pre-emption, fighting on behalf of the weak against oppression, fighting as a redress of injustice, fighting to protect the internal security or cohesion of a state, and fighting to protect the state from threats at the periphery.

2. Legitimacy

All military activity must be planned, ordered, controlled and undertaken by the legitimate leadership of the state who will

ensure that its cause, course, conduct and consequences conform to the highest standards of Islamic morality, adhere to international law, and demonstrate both morality and legality to all observers.

It is not only necessary for a war to have a noble cause, one that will stand scrutiny as morally just, but it also must be waged according to the strictest standards of moral conduct, with full protection granted to civilians, other non-combatants and their means of survival. This is best guaranteed by strictly ensuring that war is only ever ordered by a legitimate national leader who can exercise legal control over, and be held accountable for, the state's armed forces.

By scholarly consensus within the classical juristic tradition, it is clear that going to war is not a personal obligation that one can decide for oneself, فرض عين (*fard ayn*) but a collective obligation, فرض كفاية (*fard kifaya*).¹⁷ Conceivably, an individual Muslim from outside a context of war might decide, based on independent reasoning, to join a war that his own national leader has not ordered as an offensive or defensive jihad. In that sense, a personal decision is being made. Yet that situation would only exist if and when it becomes clear to that individual that the war is being fought by Muslims collectively at the behest of a legitimate authority. Traditionally that legitimacy was the preserve of the Prophet and subsequently the Caliph (or the Caliph's delegated appointee, such as a governor¹⁸), but now, in the post-caliphate world, it means the national leader (who might be a monarch, prime minister, president or emir) who mobilizes collective action, of which he exercises legal control and for which he retains responsibility and accountability.

At the heart of the Islamic concept of leadership is the relationship between authority and accountability. All leaders must provide righteous guidance and dutifully care for their people, but they will also be held accountable for their leadership on the Day of Judgment.

Muhammad firmly believed this. Reliable *ahadith* confirm that he saw leadership in terms of God-given responsibilities to provide safety, care, guidance and instructions, about which leaders would be accountable to God. In *Sunan Abu Dawud*, for example, we find this illuminating hadith:

‘Abdullah ibn ‘Umar narrated that the Messenger of Allah ﷺ said: Each of you is a shepherd [رَاعِي, *ra'i*] and will be asked [by God about how you provide care]. The leader of the people [إِمَرِّ, *emir*] is a shepherd who will be asked about his treatment of the flock; a man is a shepherd who will be asked about the treatment of the members of his household; the woman is a shepherd who will be asked about her treatment of the husband's house and children; and a servant is a shepherd who will be asked about his treatment of his master's possessions. Each of you is a shepherd responsible for a flock.¹⁹

We know that in Classical Arabic the word ٌيُعْتَسَمْ (“be asked about”) means to provide an account of one's conduct, because the Qur'an has this verse:

﴿وَلَا تَقْرُبُوا مَالَ الْيَتَمِ إِلَّا بِالْيَتِيمِ أَخْسَنَ حَتَّىٰ يَتَلَقَّ
أَشْدَهُ وَأَقْفُوا بِالْمَهْدِ إِنَّ الْمَهْدَ كَانَ مَسْؤُلًا﴾

Do not come near to the orphan's property, except to improve it, until he attains his maturity; and fulfil your responsibilities, for [the taking care of] responsibilities will be enquired of [مسؤلاً] by Allah on the Day of Judgment].²⁰

This reveals that a leader is a shepherd both responsible and accountable for the safety, protection and direction of the flock, a position reinforced by another of Muhammad's statements:

Ibn 'Umar saw a shepherd with some sheep situated very badly although he saw that there was a better place. He told him, "Woe to you, shepherd! Move them! I heard the Messenger of Allah ﷺ say, "Every shepherd is responsible for his flock."²¹

Thus the shepherd, not the sheep themselves, is responsible and accountable for the actions of the sheep.

Islamic tradition ascribes to Muhammad the writing of letters sent to various regional leaders, inside and outside Arabia. These call the leaders to accept Islam and to establish good relations with the new Islamic polity. They also indicate Muhammad's clear belief that a leader is accountable for the behaviour of his or her people. Rejection of the call to Islam

would itself be sufficient for the leader to earn judgment for the people's "sins".²²

The point here is that leaders are responsible not only for *how their people are*, but also accountable for *what they do*. During warfare the legitimate leader must lead effectively and embrace responsibility for the combatants' compliance with all instructions, international humanitarian law, and the dictates of morality.

3. Unity of Command and Effort

All military and supportive forces must operate under a single commander empowered with the legal and organizational authority to command and direct all forces utilized in pursuit of the virtuous objective, or, if this is not possible within a multinational operation, they must at least operate with clearly understood unity of effort.

During alliance or coalition operations, unity of command may not always be possible, but even in such situations the requirement for unity of effort remains essential. Unity of effort refers to the cooperation and coordination of all involved military and supportive forces in pursuit of common objectives that have been agreed by all parties, even if the forces themselves are from different commands or organizations.

Unity of command was highly important to Muhammad. He understood that divided loyalties, contradictory plans and mixed messages would likely flow from divided command arrangements.

Even when he sent out a detachment of warriors, but was unable to go himself, he appointed only one leader. He did so even if the detachment was composed of members of different

tribes, clans or peoples. They would all obey that leader, as equals beneath him, even if they came from tribes of differing status or reputation, and regardless of which group the leader himself came from. Division or disobedience based on tribalism was unacceptable:

The Messenger of Allah ﷺ said: “Whoever fights blindly for a cause which encourages tribalism or getting angry because of tribalism, then he has died in ignorance.”²³

No longer giving loyalty based on their tribes, the Muslim warriors sent on missions were now “believers” and “brothers” united in strict obedience of a single leader. We see a reference to this concept in Muhammad’s despatch to Nakhla of ‘Abdullah ibn Jahsh as head of a detachment in January 624 CE. Al-Waqidi records that ‘Abullah was called the “leader of the believers” (أمير المؤمنين) during that raid.²⁴ We should not read too much into this phrase. It was not a formal rank or title, deserving of capital letters, as it became when chosen by Muhammad’s political successors, but it indicative of the fact that the raids were led by people given responsibility for a cohesive and unified band of men defined not by tribe, but by belief.

Muhammad’s strict insistence on unity of command can be seen clearly in the case of the raid on Dhat al-Salasil, which was ten days’ journey north of Medina. He sent ‘Amr ibn al-‘As with a detachment of troops, hoping that ‘Amr could drum up local support for a forthcoming expedition to Syria. Once in the enemy area ‘Amr became afraid and sent to Muhammad

for reinforcements. Muhammad despatched Abu 'Ubaydah ibn al-Jarrah with extra troops and a very clear instruction: "You two must not disagree."²⁵ When Abu 'Ubaydah reached 'Amr's position, the latter insisted that he remained in charge. Abu 'Ubaydah refused to be drawn into a dispute, telling 'Amr that the Prophet had insisted that they must not quarrel over command. He humbly submitted to 'Amr, saying: "Even if you disobey me, I will obey you." 'Amr gloated, saying: "Then I am your commander, and you are only my reinforcement." Complying with the Prophet was more important than succumbing to ego, so Abu 'Ubaydah merely replied: "Have it your way".²⁶

It is also worth noting that, whenever Muhammad sent out a raid, he would personally meet with its leader to pray for the group's safety, to explain the mission's purpose, and to convey his trust in him. This must have been highly empowering. We know that he would also explain to the leader the need "to be good" to the people under his authority.²⁷ He would further explain the moral behaviour he expected from the warriors (for example, no harm to women, children and the aged, and no mutilation), for which the leader would be considered accountable.

Not wanting inter-tribal squabbles or doubts about authority to erupt if an appointed leader died in battle, Muhammad made clear before sending any force on a campaign that was likely to result in casualties who the officially appointed second-in-command was. In some cases he even named the third-in-command in case the first two fell. We see this most clearly before the Battle of Mu'tah, when Muhammad appointed his beloved adopted son Zayd ibn

Harithah as commander, but “if he is martyred, then Ja‘far [ibn Abi Talib] should take over, and if he is also martyred then ‘Abdullah ibn Rawaha should take over.”²⁸ As it happened, all three died in the battle, prompting the famous fighter Khalid al-Walid to assume authority on his own initiative. Possessing tremendous presence and charisma, and a long record of success as a warrior, the army accepted his command.

4. Consultative Decision-Making

At the national level, the civilian and military leaders responsible for the use of force must take advice from each other and actively seek and take into consideration the views of all stakeholders or their representatives before any major decisions are taken.

During the Battle of Uhud in 625 CE, some of the Muslim warriors disobeyed Muhammad, prematurely leaving a piece of high ground that he had told them to hold. Defeat followed. A Qur’anic verse exhorted Muhammad not to be disheartened, but rather to forgive the disobedient at Uhud and to stay gentle with them:

﴿إِنَّمَا رَحْمَةُ اللَّهِ لِنَّمَّا لَهُمْ وَلَوْكَثْ فَقَالَ غَيْرُهُ الْقُلُوبُ لَا نَقْضُوا
مِنْ حَوْلِكَ فَاغْفِعْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا
عَرَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ﴾

It was through Allah’s mercy that you [Muhammad] have been able to deal with them so gently. If you had been stern and hard-

hearted, they would surely have dispersed from around you. Forgive them and ask Allah to forgive them and consult with them [again] on affairs. Then, when you reach a decision, trust Allah. God loves those who trust Him.²⁹

The key words naturally pertain to God's instruction to Muhammad to forgive the wrongdoers, but often overlooked is the following direction that Muhammad should again "consult with them" on affairs.

The type of consultation referred to here is known in Arabic as *shura* (شورى). It is a form of peer consultation and participatory decision-making found among Arab leaders at all levels. Its origins predate the coming of Islam.³⁰ It involves the discussion of problems or issues by peer groups with a view to determining a way forward through dialogue, respectful debate and collective decision-making. It seems ideally suited to tribal societies, where members of different tribes can meet as peers to decide matters of mutual concern, or where elders within a tribe can meet to provide advice or act as agents of accountability for a chief.

The Qur'an presents *shura* as an important social function for *all* people everywhere and as a necessary means of gaining wisdom. It places *shura* alongside prayer and charity as essential human behaviour:

﴿وَالَّذِينَ اسْجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاةَ وَأَمْرُهُمْ
شُورَىٰ بَيْنَهُمْ وَمَا رَمَّقْتَاهُنَّ يُنْعَقُونَ﴾

And those who respond to their Lord and keep up prayer, and [manage] their affairs through consultation [شُورَى], and who spend from what We have given them, [will receive reward from Allah].³¹

This sums up the highly consultative style of leadership that Muhammad tried steadfastly to utilize throughout his twenty-three years of leadership. Despite having a community solemnly sworn to obey him by way of *bay'a*, a pledge of loyalty which he took very seriously, he avoided running roughshod over others and understood that people around him possessed vantage points, ideas and insights that might help him to make stronger decisions than those he could make by himself. They also had dignity, which could be strengthened by inclusion.

Muhammad liked good ideas, whomever they came from. He therefore routinely asked for advice, listened dispassionately, praised the contributors, reflected, decided, and then trusted in God. It was not just a process of listening; of gaining advice. As often as he could he sought consensus, to which he usually acquiesced, and clearly enjoyed participatory decision-making.

Aware that he was both a divinely appointed prophet and an ordinary man—“But I am [only] human” (إِنَّمَا أَنَا بَشَرٌ) was a phrase he often used³²—he remained psychologically able to juggle this inherent tension, and never confused his own thoughts with those of God that came as revelation. As such, he made it clear that he wanted input from others on matters that he was deciding himself, as opposed to divine

direction communicated from heaven. He therefore created an open and safe environment in which people could debate or even contradict him without being seen as disrespectful or disloyal. Far from being an omniscient autocrat, he was an inclusive and consultative decision-maker whose own ideas could be discussed, improved upon, or even constructively criticized.

Indeed, the two earliest extant biographies, Ibn Hisham's *Al-Sirah al-Nabawiyyah* and Al-Waqidi's *Kitab al-Maghazi*, reveal that before every major event in his life, including the Hijra (هجرة, emigration) from Mecca to Medina in 622 CE and all the subsequent raids and battles, he consulted with his trusted confidantes. For instance, before Islam's first great victory, the Battle of Badr on 13 March 624, the Prophet first discussed options with his inner circle, members of the *Muhajirun*, who had immigrated to Medina with him, asking whether they should withdraw or proceed. "Advise me, O People," he said. They seemed to support advancing to battle, and Muhammad was especially heartened when Al-Miqdad ibn 'Amr promised that, contrary to Prophet Moses' people not wanting to fight with him, Muhammad could count on his followers' total support.³³ Muhammad did not stop there. He then consulted with the *Ansar*, the citizens of Medina who had welcomed him into their midst. "Advise me," he requested of the *Ansar*, receiving the positive advice that they would honour their *bay'a* pledge to "listen to and obey" him and that they would indeed fight if he wished to proceed.

The Battle of Badr involved another remarkable example of Muhammad actively seeking and taking advice before

making a decision. When he led his force of 313 soldiers to the sandy valley of Badr, southwest of Medina, he proposed establishing his camp, and thus his fighting line, at a certain location. He then asked his companions for advice regarding his choice. A member of the Khazraj tribe, Al-Hubab ibn al-Mundhir, asked, “O Messenger of Allah, have you given thought to this site? Has Allah told you that this is the right site? Because if He has it is not for us to encourage you or deter you regarding it. Or is it your decision as a tactic of war?”³⁴

This might seem impertinent to modern ears, but Muhammad took no offence. He replied: “It is my decision as a tactic of war.” Al-Hubab ibn al-Mundhir then spoke the truth plainly to the man he saw as God’s messenger: “This is certainly not a good site.”³⁵ He explained his rationale. They should set up camp near the farthest wells, which they could exploit for fresh water, while denying the enemy those and the closer wells. Unperturbed that he had not thought of this, and not stung by the criticism of his own choice, Muhammad readily agreed to Al-Hubab’s advice. He ordered the camp moved to the specified wells, and the next day enjoyed a dramatic victory over a significantly larger force.

Al-Hubab ibn al-Mundhir features often and positively throughout the earliest biographies of Muhammad, and, interestingly, he once again corrected the Prophet regarding the positioning of troops. At the beginning of the Battle of Ta’if in February 630, six years after the Battle of Badr, Muhammad positioned his camp close to the city walls. Once again Al-Hubab challenged the decision, telling him: “O Allah’s Messenger, we are really close to the fortress. If this

decision was because of Allah's command, we will submit, but if it's your own judgment you should move back from the wall.”³⁶ They were within the defenders' arrow reach, he explained, and were suffering injuries.

One might think that Muhammad had put up with this type of correction six years earlier because he was then a novice military commander, and that he had now, after having won many battles and conquered Mecca, come to see himself as sufficiently expert that such a correction would be annoying. Not only that, but he was a divinely appointed prophet who did not, as the Qur'an says, “speak from his own desires, but only from a revelation brought forth.” ﴿وَمَا يَنْطِقُ عَنِ الْهَوَى﴾ (*37) Yet the sources reveal no rancour. The humble Muhammad merely asked Al-Hubab to find a better location for them to withdraw to, which he did.

The sources reveal that the siege of Ta’if did not progress well, and losses were mounting after eighteen difficult days, so Muhammad sought the advice of Nawfal ibn Mu’awiya al-Dili, an accomplished warrior. Should they persist, or break off the siege? Nawfal gave an eloquent reply, explaining that Muhammad had already forced “the fox into its hole” and that if Muhammad persisted success would eventually come, but if he chose to withdraw, the fox could no longer cause harm.³⁸ Muhammad liked the advice, reflected, and ordered a withdrawal. Other advisors bitterly complained. Having spent over two weeks seeking victory, they thought this was bad advice. Victory was likely to be imminent, they insisted. Muhammad remained patient, and agreed with the majority view that they should try one more assault the next morning.³⁹ It duly failed, with high casualties, so when

Muhammad ordered the withdrawal the companions who had previously demanded another attempt were actually relieved.

This is not to say that Muhammad always simply deferred to advice. He believed that only someone with a reputation as trustworthy should be consulted or listened to.⁴⁰ The “ignorant” should be avoided, because “they give advice based on opinions that will lead others astray.”⁴¹

Sometimes he listened to advice and then stuck to his original inclination, especially if the advice came outside of a *shura* meeting where he could hear all sides of an issue being debated. For example, at the Battle of Badr one of his companions offered corrective advice about the way Muhammad had arranged his warriors into lines. He used a similar formula: “O Allah’s Messenger, if this came to you through revelation, then so be it, but if not, I think you should...”⁴² With no *shura* group to comment on this advice, and no consensus to seek, the Prophet gently dismissed it. It is significant, of course, that he had created an open environment in which his comrades felt free to offer advice even though they acknowledged him as a divinely chosen prophet.

The most famous example of Muhammad making a major decision after taking advice relates to the so-called Battle of the Trench. The Quraysh tribe of Mecca had allied with other tribes to form a substantial military force which advanced upon Muhammad’s city Medina in March 627 with the intention of killing Muhammad, or at least ending his influence, once and for all. When Muhammad learned that a powerful force would soon reach Medina, he assembled his inner circle to learn their assessments and hear their views on how best

to respond. The chronicler al-Waqidi says that this has been Muhammad's practice: "The Messenger of Allah consulted frequently with them on matters of war."⁴³

Muhammad was himself not inclined to lead the army out of the city to fight a pitched battle in the Uhud valley. He had unsuccessfully done exactly that a year earlier, having at that time agreed to the consensus view of his confidantes over his own clearly expressed preference during a lengthy *shura*.⁴⁴ This time, significant debate occurred, doubtless because of fear of a repeat failure.

Salman al-Farasi, a Persian convert to Islam, then spoke up, advising Muhammad that in Persia they had responded to the threat of cavalry attack with entrenchment; that is, by digging a trench that horses could neither jump across nor climb out of. A trench across the valley neck leading into Medina would prevent the enemy entering. This tactic had never been used in Arabia, yet Salman's suggestion "pleased the Muslims," and thus earned Muhammad's favour.⁴⁵

Seeing consensus, he agreed and ordered the digging of Salman's trench.⁴⁶ Muhammad even toiled in the strenuous digging, showing his followers that he would not ask of them something he would not do himself. The trench proved impassable to the enemy force, which was logistically weak and could not sustain its offensive in the insufferable heat, and thus saved the Muslim polity.

It is thus clear that there is a tremendous benefit in the *shura* style of consultative and inclusive-decision making. It provides a leader with a variety of perspectives to compare and contrast in pursuit of the optimal solution; a "reality check" for his or her own assumptions, ideas and plans; and an unpar-

alleled way of achieving high-level “buy in”. It does not involve the surrender of any authority or prestige. Quite the opposite: it demonstrates such good faith as a leader that it strengthens both authority and esteem.

5. Offensive Action

Because defensive actions seldom bring decisive results, all military operations must be directed offensively whenever possible to gaining, retaining and exploiting both freedom of action and initiative—so that opponents are forced to react but cannot conduct their own plans.

Muhammad disliked war and sought other ways to solve disputes. He understood that war would only be moral if fought for just reasons.⁴⁷ This ordinarily meant that the cause of war was self-defence, pre-emption against enemies who were marshalling forces against the Islamic polity, security of Arabia’s borders from greater external powers which might destroy the Islamic polity before it developed adequate strength, and shows of offensive strength designed to coerce (with minimal or no bloodshed) other tribes into accepting his political leadership.

Even Muhammad’s pre-emptive operations were ultimately self-defensive. For example, shortly after the conquest of Mecca, Muhammad felt compelled to initiate a vast offensive operation in the direction of Hunayn to meet a large coalition force of the Hawazin and Thaqif tribes, which his spies discovered was preparing to attack Mecca.⁴⁸ The Battle of Hunayn thus involved Muhammad marching out offensively to strike before being struck. In other words, it was an offensive operation for defensive purposes.

Muhammad understood that, if war did occur, he always had to conduct it with vigour, focus and assertiveness. Because defensive actions seldom brought decisive results, he insisted that all military operations must be directed offensively whenever possible in order to gain, retain and exploit both freedom of action and initiative. By doing so, the opponents would be forced always to react to Muslim actions, rather than be able to conduct their own.

In the third year after immigrating to Medina, Muhammad waged offensive operations against the Banu Sulaym and Banu Ghatafan north of Medina, but no contact battles occurred because the enemy scattered. A year later he launched offensives against the tribes of Anwar and Thalabah and against the Dumat al-Jandal, Banu Lihyan, Banu Mustaliq and al-Ghaba.⁴⁹ He undertook these offensive operations with secrecy and speed before the enemies could detect his movement and organise resistance. As a consequence, almost no actual fighting occurred and most of the tribes submitted or entered into peace agreements with minimal bloodshed.

Resolute offensive action would also—as the Qur'an says—“create fear in the enemies of Allah and your enemy” (تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ)⁵⁰ and firmly deter other enemies who might want to follow their actions:

﴿فَإِنَّمَا تَقْنَعُهُمْ فِي الْحَرْبِ فَشَرِّقْنَاهُمْ مَنْ حَفِظْنَاهُمْ لَعَنْمَنْ يَدْكُرُونَ﴾

If you meet them in combat, deal with them [resolutely] to deter those behind them, so that they may take heed.⁵¹

Muhammad correctly understood that frightening an enemy into deciding not to fight or behave threateningly or recklessly was an ideal way of preventing bloodshed on both sides. This is what U.S. President Theodore Roosevelt famously described 1,300 years later as the basis of statesmanship: "Speak softly and carry a big stick". Muhammad felt satisfied that, through resolute offensive actions, many of them being intended only as casualty-light demonstrations of strength, any potential enemies knew better than to cause mischief. He listed his ability "to strike awe [into enemies] from as far away as a month of journeying" as one of his unique attributes.⁵²

6. Defensive Security

Carefully designed and sufficiently resourced security measures must be undertaken to permit freedom of offensive military action whilst protecting the state, the people and the forces by identifying and minimizing all vulnerabilities to hostile influence, acts or attacks.

Muhammad also recognized that carefully designed and sufficiently resourced security measures must be undertaken to permit the army's freedom of offensive action whilst protecting his city and citizens by identifying and minimizing all vulnerabilities to hostile attacks. When he rode out on campaign he always left a trusted leader in Medina with a strong force to protect it from a surprise attack by any enemy who might somehow have learned of his absence.⁵³

Some of the leaders he left behind to protect the city, even his beloved 'Ali ibn Abi Talib, grumbled that they would much prefer to be away with him on campaign, rather than do what they considered nothing more than "looking after the women

and children".⁵⁴ Little did they appreciate the importance of this solemn responsibility. Defending the citizens, the city, the homes, and the wealth and sources of income was as worthy of Allah's reward as fighting offensively on the jihad, and death suffered on both was equally considered martyrdom.⁵⁵

We have seen above that the protection of the state's periphery is also a leader's vital responsibility during wartime. One cannot indulge in warfighting while the state is vulnerable. Today this means something far more than it did in the seventh century: leaving a sufficiently strong force in the city while the army is away fighting elsewhere, and establishing garrisons around border areas and in perimeter towns and ports. It also involves constantly acquiring, interpreting and using the very greatest possible amount of usable and timely intelligence to understand potential or real rivals' capabilities, intentions and movements. The extant ninth-century sources reveal that Muhammad attempted his own smaller-scale version of this. He created a network of spies and informers who would keep him situationally aware at all times and give him early warnings of any emerging threats.

7. Morale

Every effort must be made through strategic communication and engagement to persuade the people that the objective is necessary and virtuous, and—because its attainment might require time, effort, cost and sacrifice—every effort must be made at all stages to strengthen and maintain the people's patience, resolve, persistence, confidence, and wellbeing.

Interestingly, all the Qur'anic verses mentioning jihad as armed struggle in defence of the Islamic people and polity

and their interests are exhortative in nature: with pleas for effort, urgings of courage and a resolute and intrepid fighting spirit, assurances of victory, and promises of eternal rewards for those who might die in the service of their community. As the Qur'an reveals:

﴿يَا أَيُّهَا الَّذِي حَرَضَ الْمُؤْمِنِينَ عَلَى الْقِتَالِ إِن يَكُن مِّنْكُمْ عِشْرُونَ صَابِرُونَ يَقْبَلُوا
مِئَتِينَ وَإِن يَكُن مِّنْكُمْ مِّئَةٌ يَقْبَلُوا أَلْفًا مِّنَ الَّذِينَ كَفَرُوا بِأَنَّهُمْ قَوْمٌ لَا يَعْقِلُونَ﴾

O Prophet! Exhort the believers to fight. If there are twenty among you who are steadfast, they will defeat two hundred; and if there among you one hundred, they will overcome one thousand of those who disbelieve, because they [the disbelievers] are a people who do not understand [what is true].

This message that, with God's assistance, numerical odds do not matter in a battle was clearly intended as inspiration and motivation to Muslim armies which initially fought against larger forces. Referring to the Prophet David's belief that, with God on his side, he could destroy the much stronger Goliath, the biblical giant, God promised in the Qur'an:

﴿...قَالَ الَّذِينَ يَكْفُرُونَ أَنَّهُمْ مُّلَاقُوا اللَّهَ كَمْ مِنْ فَتَنَةٍ
قَلِيلَةٌ عَلَيْهِ كَثِيرَةٌ بِإِذْنِ اللَّهِ وَاللَّهُ مَعَ الصَّابِرِينَ﴾

... But those who felt certain of their meeting with Allah said: "Many times a small company has overcome a powerful company by Allah's will." Allah is with the persevering.⁵⁶

This emphasis reveals that Muhammad fully recognized what the Qur'an was saying: that warfare were so unpleasant to his peace-seeking community that, even though the causes of Muslim warfighting were righteous, he had to make every effort to keep morale high and to exhort frightened or weary people to persevere, to believe in victory, and to fight for it.

One must see all Qur'anic references to martyrdom in this light. They are not designed to stimulate any unhealthy desire for death. On the contrary, life is an almost unparalleled gift to humans. The Qur'anic promises of life after death—as an even greater gift—to those who have to risk their lives in battle are morale-boosting reassurances that the God of justice will bestow upon them magnificent recompense should they make the ultimate sacrifice. The Qur'an says, for example:

﴿وَلَا تَحْسِنَ الَّذِينَ قُتِلُوا فِي سَبِيلِ اللَّهِ أَمْوَالًا بَلْ أَخْيَاءً عِنْدَ رَبِّهِمْ
يُرْسَلُونَ ﴾ فَرِحِينٌ بِمَا أَنْهَمُ اللَّهُ مِنْ فَضْلِهِ وَيَسْتَبِّشُونَ بِالَّذِينَ لَمْ
يَلْقَوْا هُمْ مِنْ حَلْفِهِمْ لَا حَوْفٌ عَلَيْهِمْ وَلَا هُنْ يَحْزَنُونَ﴾

And do not think that those who are killed in the way of Allah are dead. No, they are alive, near their Lord, and are receiving sustenance. They rejoice in the bounty that Allah has bestowed upon them, and are joyful in the glad tidings

about those left behind who have not yet joined them, that they will neither fear nor grieve.⁵⁷

On campaign, Muhammad worked tirelessly to maintain the morale of his troops, who usually had to forage for food and endure intense heat, cold, hunger and hardship. He did this by suffering the same privations and struggles as everyone else did, about which he never complained. He also strengthened morale through constant engagement and frequent and focused praise and encouragement. With marvellous oratory during his Friday sermons and in less structured settings while on campaign, he repeatedly emphasised the nobility and necessity of the cause, affirmed God's presence and support, publicly highlighted the valour of individuals, rewarded excellence, and gave successful people increasingly important responsibilities. In combat he made rousing supplications with the troops, such as: "There is no God but Allah, the One who confers upon His armies the honour of victory and helps His servants to rout the clans; nothing matters beyond that" and "O Allah, Revealer of the Book and swift at reckoning! Defeat the enemy allies; Defeat them and shake them."⁵⁸ These exhortations were a powerful morale booster. With God supporting them, how could they doubt or fear or lose?

8. Restraint

Every effort and all restraint must be devoted to ensuring the use of no more force than is carefully calculated to be necessary at each stage to achieve the strategic goal and to prevent all possible loss of non-combatant life, all destruction of infrastructure, and all other collateral damage.

The Qur'an is clear that proportionality also serves as a key Islamic principle of war. Doing no violence greater than the minimum necessary to guarantee victory is repeatedly stressed in the Qur'an (and described as لَمْ يَعْتَدُوا لَا, "not transgressing limits"). So is the imperative of meeting force with equal force in order to prevent defeat and discourage future aggression. Deterrence comes by doing to the aggressor what he has done to the innocent:

﴿فَإِنَّمَا تُشَفَّنُهُمْ فِي الْحَرْبِ فَشَرِّدُهُمْ مَنْ خَلَفَهُمْ لَعَلَّهُمْ يَذَكَّرُونَ﴾

If you meet them in combat, deal with them [resolutely] to deter those behind them, so that they may take heed.⁵⁹

Expressing the validity of this type of deterrence, the Qur'an continues the earlier revelation to the biblical Israelites, which permits people to deal with injustice "eye for eye, tooth for tooth". Yet, like the Christian Gospels, it suggests that there is more spiritual value (bringing كَفَارَةٌ, "expiation") in forgoing revenge in a spirit of charity.⁶⁰

The Qur'an, the *ahadith* and the accounts of the Prophet's life go even further. Promoting profound restraint in war, they express clear and irrefutable prohibitions of all violence against everyone on the enemy side except the male warriors who are actually threatening, or engaged in, combat. Everyone else is off limits and cannot be deliberately targeted or treated with any reckless disregard that might lead to their harm.

There are many *ahadith* that address the issue of who cannot be killed or otherwise targeted during warfare. The Prophet

Muhammad clearly did not want women to fight in battles, although they were permitted to distribute water and provide medical aid to the wounded.⁶¹ Al-Waqadi records that, for the Khaybar campaign, Muhammad allowed numerous women, including his wife Umm Salama⁶², to accompany the army after Umayya bint Qays ibn Ali-Salt-al-Ghifariyya requested that they be allowed to provide medical aid to the wounded. Muhammad permitted this with the words, “with Allah’s blessing.”⁶³ During the Battle of Uhud, Umm ‘Umara, one such female water carrier, even found herself having to take up a weapon to protect Muhammad when the enemy swarmed upon him. She was badly wounded.⁶⁴ But this was clearly an exception to Muhammad’s position that women would not fight. If they were present at all in or around the combat zone, it was to provide aid. It is worth pointing out that, even in today’s international humanitarian law, it is permissible for civilians to provide medical aid to combatants, and that they do not lose their status as civilians, and the protections that accompany that status, by doing so.⁶⁵

Muhammad was equally opposed to women being killed outside of battle, as even his enemies recognised.⁶⁶ Indeed, we know from the Prophet’s biography that, before sending commanders out on campaigns, he would meet personally with them and direct them not to kill women. When he sent Abu Qatada to lead a raid on the Ghatafan tribe around Najd, for instance, he instructed him, “March by night and hide by day. Make an assault, but do not kill women and children.”⁶⁷ Likewise, shortly before the Mu’tah campaign started, Muhammad issued combat instructions to his warriors that included clear instructions not to kill women, children,

monks, the elderly, or people who did not oppose them but asked for protection.⁶⁸

Even in the tumult of close-quarters combat, care was to be taken not to kill any women. During the house-to-house fighting in the Battle of Khaybar, for example, the Prophet Muhammad's prohibition was acted upon. In one crowded house—so small that swords being swung hit the ceiling—a Muslim fighter almost killed a hysterical woman screaming in front of her husband, prompting several Muslims to engage with her, “but then we remembered that the Messenger of God had forbidden us from killing women.”⁶⁹

This should not be understood that the unintended killing of women in such contexts was sinful or prohibited. One hadith states that, when asked hypothetically whether it was permissible to attack the enemy at night, even though this raised the probability of women and children being killed accidentally, Muhammad assented, adding that these unintended casualties might occur because of the close proximity (they are literally “*مِنْهُمْ*”, “from them”).⁷⁰

It would be unfair to suggest here any callousness. In effect, Muhammad was merely stating a position known today in Just War theory as “double effect”. In other words, the permissibility rests on the moral justification that such deaths are “foreseen but unintended”. The information in the hadith is scanty, but it would not be unreasonable to suppose that Muhammad's logic was similar to that of contemporary Just War theorists, who emphasise that any foreseen but unintended deaths must occur only on missions of great necessity and that every care is made to avoid causing such deaths. We know this to be the case because the Prophet's default setting

was that battles and raids should never occur at night. One of several *ahadith* affirming this states:

As Anas narrated, whenever Allah's Messenger ﷺ attacked some people, he would never attack them until it was dawn. If he heard the *adhan* [the call for prayer] he would delay fighting, and if he did not hear the *adhan*, he would attack them immediately after dawn.⁷¹

In 628 CE, for example, Muhammad marched his army at night to Khaybar, but only initiated the battle against the unsuspecting inhabitants after they arose at dawn.⁷²

The prohibition on killing children rests on the same *ahadith* and relies on the same logic: that like women, children are ordinarily incapable of threatening or inflicting harm, so should therefore not take part in warfare. The minimum age to participate in combat is fifteen years, a constant feature of the Islamic laws of war that traces its roots back to the Prophet Muhammad's rejection of children younger than fifteen as warriors on his campaigns. Before departing for the Badr battle in 624 CE, he examined his warriors and sent all boys home to Medina.⁷³ One sixteen-year-old, 'Umayr ibn Abi Waqqas, pleaded to stay, despite the Prophet's concern that he was too young. Allowed to fight, he was the youngest to die in the battle.⁷⁴ Before the Battle of Uhud, Muhammad once again screened out all boys younger than fifteen, allowing only two boys aged fifteen to fight in the battle after making them wrestle each other to determine their spirit and robustness.⁷⁵ A year later, a fourteen-year-old boy, Ibn 'Umar, asked

for permission to fight in the Battle of Uhud. Muhammad rejected his request, only letting him serve a year later during the Battle of the Trench, by which time he was fifteen.⁷⁶ According to some versions of this hadith, Ibn ‘Umar’s case established the demarcation between boys and men. Only fifteen-year-olds and above could perform any military service or draw payment for doing so.⁷⁷

It is logical that if a certain age is specified as being the minimum age allowed for fighting in war—that is, the age when a minor enters adulthood—then that same age will also define the age when a child loses the immunity that comes with childhood. In Islam that age for boys is fifteen. For girls the issue is immaterial for the purposes of this study. Regardless of age, females are not to be attacked or even carelessly subjected to threat or danger.

Women and children were not the only people to be considered exempt for deliberate harm during warfare. The prohibition included other categories, such as servants, the elderly and the infirm. Abu Dawud’s collection of *ahadith* reveals that, during a campaign, a cluster of people gathered around the body of a slain woman. The Prophet sent someone to see what they were looking at. When he returned and reported the woman’s slaying, the Prophet insisted that Muslims were never to kill a woman or a servant.⁷⁸ The words used were “وَلَا عَسَفَاءَ” meaning “and not the hired servants [or employees]”. In this context, these عَسَفَاءَ were the paid servants who transported warriors’ possessions and weapons, and looked after the animals, but who took no role in the actual fighting.⁷⁹ Given the explicit prohibition against killing these people in the *ahadith*, a ruling in Islam has emerged that,

even if people are giving support to combatants, but are not themselves combatants, these people cannot be killed or otherwise targeted.⁸⁰ How far that applies in today's world is unclear, given that factory workers producing weapons might be considered analogous to the "servants" or "employees" in the Prophet's *ahadith*. Numerous modern scholars, including Muhammad Munir, Ahmed Mohsen Al-Dawoody and Mohamed Elewa Badar, see these *ahadith* as meaning that even modern-day factory workers, artisans and farmers should be included in those exempt from deliberate killing or harm during war.⁸¹

Elderly people were also afforded protection by the Prophet Muhammad, who made exceptions only for old men who chose to fight in combat and had therefore surrendered their right to protection. These, of course, included Muhammad himself, who was over sixty during his final campaigns, and Abu Sufyan ibn Harb, his main protagonist, who was a decade older. Despite their age, they chose to fight as warriors and were therefore exempt from any protections based on age.

In Muhammad's era those who planned military operations, on or behind the combat zone, also withdrew themselves from that protection. We know of the case of Durayd ibn al-Summah, who was supposedly 160 years old when he planned military operations against the Muslim army during the Battle of Hunayn.⁸² This is hyperbolic; Durayd may in fact have been around eighty. Killed by one of the Prophet's warriors, he died with a heroism that Muslim chroniclers respectfully noted. Muhammad may have known about Durayd's killing, but we do not have a source confirming whether he spoke in favour of it or spoke against it. This had

led some jurists to differ on its significance. Some, including al-Shirazi and al-Nawawi, believed that the Prophet's lack of condemnation reveals that it is permissible to target the elderly if they involve themselves in war planning.⁸³ Al-Shawkani, on the other hand, did not accept this logic and argued instead that there is nothing in Islamic sources to support the targeting of even elderly men involved in war planning.⁸⁴

Ordinarily, however, all other elderly were protected from harm by the Prophet's edicts, which stipulated, for instance, that the best jihad for "the elderly, the young, the weak, and women" is to perform either of the Islamic pilgrimages, the Umra or the Hajj.⁸⁵ Citing 'Abd al-Razzaq al-San'ani, the eighth century Persian scholar, Dawoody defines the aged who can no longer be targeted in war as "the one who looks to be in his old age or the one who reaches the age of fifty or fifty one years of age."⁸⁶

The Prophet Muhammad was categorical in his insistence that the aged be exempt from deliberate harm during war, and so was his immediate successor, Abu Bakr, who famously issued to the Muslim army what have been called the "Ten Commandments" of Islamic warfare. A version can be found in Malik ibn Anas's influential work, *Al-Muwatta*⁸⁷, but the most common version is recorded in Al-Tabari's *Tarikh al-Rusul wa al-Muluk* (History of the Messengers and Kings). Issued as collective instructions to the army heading north to Syria under the leadership of Yazid ibn Abu Sufyan, these orders of Abu Bakr read as follows:

Oh people! Stop, and I will tell you ten things.
Do not be treacherous; do not steal from the

booty; do not engage in backstabbing. Do not mutilate; do not kill a youngster or an old person, or a woman; do not cut off the heads of the palm-trees or burn them; do not cut down the fruit trees; do not slaughter a sheep or a cow or a camel, except for food. You will pass by people [priests and/or monks] who devote their lives in cloisters; leave them and their devotions alone. You will come upon people who bring you platters on which are all sorts of food; if you eat any of it, mention the name of Allah over it.⁸⁸

Given that these so-called Ten Commandments were issued by Muhammad's closest companion within months of Muhammad's death, and the fact that Abu Bakr is not known ever to have departed from the teachings or course of action of his Prophet, we can fairly say that they represent Muhammad's views. These, then, are not merely the central military moral tenets of a caliph, but of a Prophet and therefore of a religion.

Another noteworthy feature of Abu Bakr's famous Ten Commandments is his emphasis that the Islamic army must not do deliberate harm to what we today call infrastructure and livelihood: the enemy community's means of supporting itself. Animals are not to be killed, unless for food, and the trees in the orchards are likewise to be left undamaged. This, of course almost identically references the Prophet's instructions to the army he dispatched to Mu'ta in 629 CE:

Attack in the name of Allah, and fight His enemy and yours in Al-Sham. You will encounter men

secluded in monasteries, withdrawn from others. Do not attack them. You will find other people seeking out Satan and sin. Draw your swords against them. Do not kill a woman or a young child, or the old and senile. Do not destroy the date palm, cut down trees, or destroy a dwelling [“بَيْتٍ”].⁸⁹

The Prophet’s use of the word بَيْت (“dwelling” or “house”) makes it clear that he intended for family homes to be left untouched. We also know how he felt about the need to protect not only homes, but also religious buildings. Allah had himself spoken in the Qur'an about the evil of destroying religious buildings, including Jewish synagogues:

﴿الَّذِينَ أَخْرَجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلَّا أَنْ يَعُولُوا بِرَبِّنَا اللَّهِ وَلَوْلَا دَفَعَ اللَّهُ
النَّاسَ بِعَصْمَهُمْ بِعَصْمِ الْمَدِّيْمِ صَوَاعِمُ فَيُبَعَّرُ وَصَلَوَاتُ وَمَسَاجِدُ يُدْكَنُ فِيهَا
اسْمُ اللَّهِ كَثِيرًا وَلَيَنْصُرَنَّ اللَّهُ مَنْ يَنْصُرُهُ إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ﴾

[They are] those who have been expelled from their homes in defiance of right except that they say, “Our Lord is Allah” And were it not that Allah checks the people, some by means of others, there would have been demolished monasteries, churches, synagogues, and mosques in which the name of Allah is much mentioned. And Allah will surely support those who support Him. Indeed, Allah is All-Powerful, All-Mighty.⁹⁰

Muhammad's protection of such buildings is significant and appears far earlier than similar prohibitions in the Western tradition, most of which began to appear in the nineteenth and twentieth century. Abu Bakr's use of the word عمار, as quoted in the *Muwatta* of Imam Malik, is even broader still, meaning any buildings, without functional specification.⁹¹ It includes houses, artisans' workshops, storage buildings and so forth.

The second Caliph of Islam, 'Umar ibn al-Khattab, who assumed leadership of the Islamic policy following Abu Bakr's death in 634 CE, only two years after Muhammad's own death in 632, clearly understood that his Prophet wanted to spare critical infrastructure. When he travelled to Aelia Capitolina (Jerusalem) in 637 to accept in person the surrender of Sophronius the Patriarch, 'Umar made a pledge to Sophronius that identically mirrors the teachings of his Prophet, who felt respectful of the other monotheists in particular. The best-known version of 'Umar's pledge is found in Al-Tabari's *Tarikh al-Rusul wa al-Muluk*, which quotes 'Umar promising *inter alia*:

Safety [نِعَمَةٍ] of their persons, property, churches, crosses ... that the churches would not be taken over or destroyed ... Neither they, nor the land upon which they stand, will be encroached upon or even partly seized.⁹²

Al-Tabari wrote his history three centuries after the Prophet's death, but 'Umar's pledge to Sophronius was mentioned in much earlier sources, including Al-Waqadi's

Futuh al-Sham, and al-Tabari himself identifies his own source for the pledge as being a scholar who lived earlier.⁹³

Fortresses—strong structures designed for defensive warfare—are naturally different to buildings designed for civilian use. Just as the Laws of Armed Conflict today permit fortresses to be attacked, so long as advance warnings are given⁹⁴, Muhammad saw them as a legitimate target and besieged enemy fortresses on at least five occasions, including during the attack on the Banu Nadir. Structural damage to the Banu Nadir fortresses is even mentioned in the Qur'an, which states that, although they thought their fortresses [حُصُونُهُمْ] would protect them, they proved inadequate:

﴿هُوَ الَّذِي أَخْرَجَ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ مِنْ دِيَارِهِنِ لِأَوْلَى الْحَسْنَاتِ
مَا طَنَّتْمُ أَنْ يَخْرُجُوا وَظَنُّوا أَنَّهُمْ مَا يَعْتَمِمُهُمْ حُصُونُهُمْ مِنَ اللَّهِ فَأَنَّا هُمْ
اللَّهُ مِنْ حَيْثُ لَمْ يَحْتَسِبُوا وَقَدْفَ فِي قُلُوبِهِمُ الرُّغْبَ يُخْرِجُونَ يَوْمَ
بِأَيْدِيهِمْ وَأَيْدِي الْمُؤْمِنِينَ فَاعْتَرُوا يَا أُولَى الْأَبْصَارِ﴾

He is the one who expelled the disbelievers among the People of the Book from their dwellings at the first gathering. You did not think they would leave, and they thought that their fortresses would protect them from Allah; but Allah came upon them from where they had not expected, and He cast terror into their hearts [so] they destroyed their houses by their own hands and the hands of the believers. So take warning, O people of insight.⁹⁵

The self-inflicted damage to their fortresses done by the Banu Nadir (“by their own hands”) refers to the fact that, when told they could leave their fortresses without being killed, so long as they agreed to vacate Medina along with all their transportable valuables and possessions, they chose to dismantle their own fortresses to remove expensive door frames and so forth. They also damaged the building interiors to reduce their usability after their departure.⁹⁶

The early sources reveal that Muhammad used military subterfuge as a legitimate means of gaining positional or psychological advantage⁹⁷, but there are no cases of Muhammad’s armies besieging enemies without having declared war and offered terms. He even extended clemency upon request to unresisting individuals within enemy fortresses, who were allowed to leave despite their communities remaining defiant.⁹⁸ During the siege of Ta’if he offered safe passage to women and even manumitted any slaves who wanted to leave their masters’ fortress.⁹⁹

Furthermore, in cities with fortresses such as Khaybar, the fortresses were fully inhabited only during wartime by citizens who ordinarily lived in small and indefensible houses round about. They took refuge in the fortresses only when the enemy was approaching. We can find no cases in the early Islamic sources of the empty houses being deliberately destroyed or otherwise harmed during sieges of the fortresses themselves. During the siege of Ta’if the Prophet only used the threat of a valuable vineyard being destroyed in order to coerce the besieged into stopping their rain of red hot metal down upon the Muslim catapult crews, who suffered terribly. When told of the huge economic value of the grapes, the Prophet ended

his bluff and chose to leave the vines alone.¹⁰⁰

It is thus evident that Islamic warfare cannot be waged without focused attention on how best to minimise all harm to the innocent. It is a solemn responsibility that must guide every military action. An Islamic armed force cannot ever target non-combatants and must never even be careless or indifferent about their safety and that of their property. Restraint must be seen and unfailingly practiced as an essential Islamic principle.

9. Deception

Every effort must be made to use secrecy, misinformation, and astute positional concentration or manoeuvre to create surprise, shock and confusion which will rob the opponent of preparation and response time and cause ineffective reactions.

Central to Muhammad's military leadership was his uncanny feel for what today we call ruses of war. The Qur'an itself mentions such ruses including, for example, feigned retreats.¹⁰¹ As noted above, a reliable hadith quotes Muhammad saying: "war is deceit" ("الْحَرَبُ خُدُودٌ").

Typical of most tactical commanders throughout history, the Prophet used deception as a normal feature of his military leadership. Al-Waqidi notes that "the Prophet of God never undertook a military action without pretending that he was not doing so."¹⁰² He kept all preparations hidden, often informed leaders of the intended destinations via letters opened only after the parties had set off,¹⁰³ usually sent his warriors to hide by day and travel by night,¹⁰⁴ advised them to travel on unexpected or untrdden roads,¹⁰⁵ and used ambushes on frequent occasions, particularly during the

earlier small raids against mercantile caravans travelling north and south past Medina.

Muhammad's intuitive grasp of ruse is undeniable. For instance, immediately after the Muslim defeat at the Battle of Uhud, he rode out at the head of his warriors, many of them wounded, ostensibly in pursuit of the victorious Quraysh. He did so in order to give the Quraysh the false impression that the Muslim army was unimpaired and in high morale.¹⁰⁶ In order to strengthen his ruse, Muhammad told his men to gather wood by day and to light needlessly numerous fires at night.¹⁰⁷

When an army of around 10,000 Quraysh soldiers and their allies marched upon Medina in 627 CE, for what became known as the Battle of the Trench, they commenced a lengthy siege. After around twenty-seven days, Muhammad sent Nu'aym ibn Mas'ud, a new convert to Islam, as a spy into the enemy camp to give deliberately misleading advice and sow discord between the enemy tribes. Unaware that Nu'aym had converted to Islam, the Quraysh listened to his fabrications. Tired, exhausted by adverse weather, and believing Nu'aym's stories, the Quraysh eventually became demoralized and withdrew, lifting the siege of Medina. Regarding this misinformation, Muhammad told his close confidante 'Umar ibn al-Khattab that the ploy was his own idea, rather than a revelation from Allah, and that it had come to him because "war is deception".¹⁰⁸

Interestingly, during that battle, the Prophet sent one of his friends, Hudhayfa ibn al-Yamam, to sneak into the enemy camp to gain information. Hudhayfa managed to do so without detection. He even sat at a campfire with the enemy leadership. He sat close enough to the commander, Abu

Sufyan ibn Harb, to hear him explicitly warning his people against the likelihood of Muslim cunning or espionage and asking everyone to check who was sitting next to them.¹⁰⁹

Later that year, during the mission against the Banu Lihyan, Muhammad ordered his warriors northward towards Syria to give the Banu Lihyan the impression that they were secure in the south.¹¹⁰ Muhammad's soldiers then circled back and attacked the enemy from the rear, threatening the tribe in its very encampments. As it happened, on this occasion Muhammad's ruse proved unsuccessful and the Banu Lihyan managed to escape to the hills.

Six months later, when Muhammad wanted to undertake his minor pilgrimage to Mecca with unarmed followers, he responded to knowledge that the Quraysh would block the likely route into Mecca by leading his people through a narrow mountain path instead.¹¹¹

Similarly, when planning his campaign against the troublesome people of Khaybar in May 628 CE, Muhammad again kept the destination secret, worrying that, if he disclosed it, the Ghatafan tribe allied to the Jews of Khaybar might join the battle and provide overwhelming strength. He also advanced along certain routes that would ensure that the Ghatafan could not, even if they did hear, join with the people of Khaybar.¹¹² Maintaining secrecy, he managed to catch the people of Khaybar unawares. Al-Waqadi relates that when the people of Khaybar opened their fortresses at dawn, carrying with them their farming implements for work, "they saw that the Messenger of God had arrived in their midst. They shouted, 'Muhammad and the army' and turned and fled back into their fortresses."¹¹³

When planning the liberation of Mecca in January 630 CE, Muhammad even kept his closest advisors in the dark about his intentions until the very last minute so as to prevent the accidental leaking of information.¹¹⁴ He then beseeched God for his military ruse to be successful with a prayer that almost perfectly sums up the meaning of his statement that “war is deception”: “O Allah, hide all the signs [of preparation and advance] from the Quraysh and their spies until we can fall upon them with surprise.”¹¹⁵ A similar narration quotes him saying, “O Allah, take sight from the eyes of the Quraysh and do not let them see me or hear me until they do so unexpectedly.”¹¹⁶ As it happened, “not a word of the Prophet’s march reached the Quraysh.”¹¹⁷

In the same campaign, Muhammad also cleverly used tactical ruse to gain psychological advantage. When night fell on the route they were taking he ordered every one of his ten thousand warriors to light a camp fire, thus giving the impression that his force was much larger than it actually was.¹¹⁸

Thus, even from this relatively small selection of the very many recorded examples of Muhammad’s use of military deception, it is clear that he deployed it in a way that any objective scholar or practitioner of war would recognise and acknowledge as creative, reasonable and highly effective leadership.

CONCLUSIONS

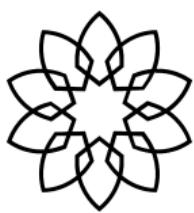
This study has clearly revealed that the Sunnah of the Islamic Prophet Muhammad, who planned and initiated around one hundred military operations during his lifetime,

twenty-seven or twenty-eight of which he personally led, is a veritable treasure chest of wisdom on the conduct of warfare. For Muslim military personnel who understand the Prophet to be the most extraordinarily astute, contemplative and sagacious human, there is no need to look to other traditions for insights into, and examples of, how best to use military power. By following his Sunnah they will greatly enhance their ability to fight skilfully, effectively and humanely.

This selection of Islamic Principles of War is not intended to imply that they are the only effective warfighting ideas and practices that the Prophet had. They seem to this author to be the cardinal and most positively influential of his thoughts and actions, but he also had a fine grasp of terrain and geography, deeply understood psychological warfare, stayed flexible and responsive to changing circumstances, and was unusually patient in pursuit of goals. Regarding the latter, it is a sadly overlooked truth that Muhammad possessed the ability to work steadily and with unfailing patience over many years towards objectives that might initially be unattainable based on the means available, or which might at different times seem to slip further from his grasp as setbacks or difficulties occurred. This strategic patience was a wonderful leadership quality.

It is hoped that students of war in Islamic countries will see value in engaging with this set of ideas as they ponder how Muslim warriors should understand the use of force in today's complex world. The author does not suggest that this set of Principles of War is better than those found in, say, the United States, the United Kingdom, France or Russia. Every country or nation should try to develop a way of war that matches its

culture, values, and traditions. For Muslims there seems to be little need to seek wisdom on warfighting from outside Islamic history when the Prophet's own way of war is so powerfully illuminating. Hopefully, *insha'Allah*, this study will be sufficiently interesting and engaging that it will initiate a wider discussion that might just lead, for the first time in centuries, to something like an established set of Islamic Principles of War.



Author's comment: This analysis draws in part from ideas and words within several of the author's other sole-authored writings, including: Joel Hayward, *The Leadership of Muhammad: A Historical Reconstruction* (Swansea: Claritas, 2020); Joel Hayward, *Civilian Immunity in Foundational Islamic Strategic Thought*. English Monograph Series—Book No. 25 (Amman: Royal Islamic Strategic Studies Centre / Royal Aal al-Bayt Institute for Islamic Thought, 2018); Joel Hayward, “Justice, Jihad and Duty: the Qur’anic Concept of Armed Conflict”, *Islam and Civilizational Renewal*, Vol. 9, No. 3 (July 2018), pp. 267-303; Joel Hayward, “*War is Deceit*”: *An Analysis of a Contentious Hadith on the Morality of Military Deception*. English Monograph Series—Book No. 24 (Amman: Royal Islamic Strategic Studies Centre / Royal Aal al-Bayt Institute for Islamic Thought, 2017). The author owns the copyright of all these studies, or is using sections with permission, so there are no copyright violations.

Endnotes

- 1 For example, see citation 104 below.
- 2 See citation 99 below.
- 3 The hadith is certainly authentic and considered reliable. It can be found in these five of the six major Sunni hadith collections: *Sahih al-Bukhari* (Cairo: Dar Al-Afaq al-Arabia, 2004), p. 608, hadiths 3027, 3028, 3029, 3030;

Sahib Muslim (Cairo: Dar Al-Ghad Al-Gadid, 2007), p. 637, hadiths 1739 and 1740; *Sunan Abu Dawud* (Kuwait: Gheras, 2002), pp. 387-389, hadiths 2369 and 2370; *Jami‘ al-Tirmidhi* (Beirut: Dar Al-Kutub Al-Ilmiyah, 2008), p. 408, hadith 1675; *Sunan ibn Majah* (Cairo: Dar Al-Hadith, 1998), p. 523, hadiths 2833 and 2834.

- 4 Joel Hayward, *"War is Deceit": An Analysis of a Contentious Hadith on the Morality of Military Deception*. English Monograph Series—Book No. 24 (Amman: Royal Islamic Strategic Studies Centre / Royal Aal al-Bayt Institute for Islamic Thought, 2017).
- 5 Abu Muhammad ‘Abd al-Malik ibn Hisham ibn Ayyub al-Himyari, *Al-Sirah al-Nabawiyyah* (Beirut: Maktaba Allassrya, 2012); Muhammad ibn ‘Umar-al-Waqidi, *Kitab al-Maghazi* (Beirut: Muassassat al-‘Alami, 1989); Muhammad ibn Sa‘d ibn Mani‘ al-Hashim, *Kitab al-Tabaqat al-Kabir* (Kitab Bhavan, 2009 ed.).
- 6 Abu Ja‘far Muhammad ibn Jarir ibn Yazid al-‘abari, *Tarikh al-Rusul wa al-Muluk* (Beirut: Dar Sader, 2008 edition), Vol. 1, p. 370.
- 7 *Sahib al-Bukhari*, p. 569, hadith 2810.

حدَّثَنَا سُلَيْمَانُ بْنُ حَزَبٍ، حَدَّثَنَا شُعْبَةُ، عَنْ عَمِّهِ، عَنْ أَبِي وَاتِّيلِ، عَنْ أَبِي مُوسَى - رضى الله عنه - قَالَ جَاءَ رَجُلٌ إِلَى الَّتِي صَلَى اللهُ عَلَيْهِ وَسَلَّمَ قَاتَلَ الرَّجُلُ يُقَاتِلُ لِلْمَعْنَمِ، وَالرَّجُلُ يُقَاتِلُ لِلذِّكْرِ، وَالرَّجُلُ يُقَاتِلُ لِيُرِى مَكَانَهُ، فَنَّ فِي سَبِيلِ اللهِ قَالَ «مَنْ قَاتَلَ لِتَكُونَ كَلِمَةُ اللهِ هِيَ الْعُلِيَا فَهُوَ فِي سَبِيلِ اللهِ» .

Cf. *Sahih al-Bukhari*, p. 628, hadith 3126; *Sunan Abu Dawud*, p. 321, hadith 2517.

- 8 This is certainly Ibn Hisham's view: *Al-Sirah al-Nabawiyyah*, 249. For modern writers who agree, see: Fatoohi, *Jihad in the Qur'an*, 31; Zakaria Bashier, *War and Peace in the Life of the Prophet Muhammad* (Markfield: The Islamic Foundation, 2006), 2-4; Martin Lings, *Muhammad: His Life based on the Earliest Sources* (London: George Allen & Unwin, 1983. Islamic Texts Society edition, 2009), 135; Sohail H. Hashmi, "Sunni Islam," in Gabriel Palmer-Fernandez, ed., *Encyclopedia of Religion and War* (London: Routledge, 2004), 217. Sohail H. Hashmi, ed., *Islamic Political Ethics: Civil Society, Pluralism, and Conflict* (Princeton: Princeton University Press, 2002), 198.
- 9 *Surah al-Shura* 42:41-42.
- 10 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, p. 885.
- 11 *Surah al-Nisa* 4:75.
- 12 *Surah al-Tawba* 9:13-14.
- 13 *Surah al-Baqarah* 2:193.
- 14 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, p. 990.
- 15 Ibid. Vol. 3, p. 996.
- 16 *Sunan al-Nasa'i* (Riyadh: Darussalam, 1999) p. x, hadith 3168 [3170]:

أَخْبَرَنَا عَمْرُو بْنُ مَنْصُورٍ، قَالَ حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ، قَالَ حَدَّثَنَا الْيَثِّيُّ، قَالَ حَدَّثَنِي أَيُّوبُ بْنُ مُوسَى، عَنْ مَكْحُولٍ، عَنْ شُرَحِيلَ بْنِ السِّمْطِ، عَنْ سَلَيْمَانَ، قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ «مَنْ رَابَطَ فِي سَيْلِ اللَّهِ يَوْمًا وَلَيْلَةً كَانَتْ لَهُ كُصِّيَّامٌ شَهِرٌ وَقِيَامٌ فَإِنْ مَاتَ جَرَى عَلَيْهِ عَمَلُهُ الَّذِي كَانَ يَعْمَلُ وَأَمِنَ الْفَتَّانَ وَأَجْرَى عَلَيْهِ رِزْقًا».

Cf. *Jami‘ al-Tirmidhi*, pp. x, hadiths 1665 and 1667.

- 17 Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins Press, 1955), p. 60.
- 18 John Kelsay, *Arguing the Just War in Islam* (Harvard University Press, 2007), pp. 110-115.
- 19 *Sunan Abu Dawud*, p. 375, hadith 2928:

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ «الْأَكْلُمُ رَاعٍ وَكُلُّمُ مَسْؤُلٌ عَنْ رَعِيَّتِهِ فَالْأَمِيرُ الَّذِي عَلَى النَّاسِ رَاعٍ عَلَيْهِمْ وَهُوَ مَسْؤُلٌ عَنْهُمْ وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ وَهُوَ مَسْؤُلٌ عَنْهُمْ وَالْمَرْأَةُ رَاعِيَةٌ عَلَى بَيْتِ بَعْلِهَا وَوَلَدِهِ وَهِيَ مَسْؤُلَةُ عَنْهُمْ وَالْعَبْدُ رَاعٍ عَلَى مَالِ سَيِّدِهِ وَهُوَ مَسْؤُلٌ عَنْهُ فَكُلُّمُ رَاعٍ وَكُلُّمُ مَسْؤُلٌ عَنْ رَعِيَّتِهِ».

Almost identical variants exist in other hadith collections, including *Sahih Muslim*, p. 676, hadith 1829:

حَدَّثَنَا قَيْمِيَّةُ بْنُ سَعِيْدٍ، حَدَّثَنَا مُحَمَّدُ بْنُ رُعْيٍ، حَدَّثَنَا الْيَثِّيُّ، عَنْ نَافِعٍ، عَنْ أَبْنِ عُمَرَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ «الْأَكْلُمُ رَاعٍ وَكُلُّمُ مَسْؤُلٌ عَنْ رَعِيَّتِهِ فَالْأَمِيرُ الَّذِي عَلَى النَّاسِ رَاعٍ وَهُوَ مَسْؤُلٌ عَنْ رَعِيَّتِهِ وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ وَهُوَ مَسْؤُلٌ عَنْهُمْ وَالْمَرْأَةُ رَاعِيَةٌ عَلَى بَيْتِ بَعْلِهَا وَوَلَدِهِ وَهِيَ مَسْؤُلَةُ عَنْهُمْ وَالْعَبْدُ رَاعٍ عَلَى مَالِ سَيِّدِهِ وَهُوَ مَسْؤُلٌ عَنْهُ

أَلَا فَكُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْتُوْلٌ عَنْ رَعِيَّتِهِ .

See also *Jami‘ al-Tirmidhi*, Vol. 2, p. 419, hadith 1705:

حَدَّثَنَا قُتَيْبَةُ، حَدَّثَنَا الْلَّيْثُ، عَنْ أَبِنِ عُمَرَ، عَنِ التَّقِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ «أَلَا كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْتُوْلٌ عَنْ رَعِيَّتِهِ فَلَا إِمِرْأَ لَذِي عَلَى النَّاسِ رَاعٍ وَسَسْتُوْلٌ عَنْ رَعِيَّتِهِ وَالْأَجْلُ رَاعٍ عَلَى أَهْلِ يَتِيمٍ وَهُوَ مَسْتُوْلٌ عَنْهُمْ وَالْمَرْأَةُ رَاعِيَّةٌ عَلَى بَعْلَاهَا وَهِيَ مَسْتُوْلَةٌ عَنْهُ وَالْعَبْدُ رَاعٍ عَلَى مَالِ سَيِّدِهِ وَهُوَ مَسْتُوْلٌ عَنْهُ أَلَا فَكُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْتُوْلٌ عَنْ رَعِيَّتِهِ» . قَالَ أَبُو عِيسَى وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ وَأَبِنِ أَبِي مُوسَى . وَحَدِيثُ أَبِي مُوسَى عَيْرُ مُحَفَّظٍ وَحَدِيثُ أَبِنِ عَيْرٍ مُحَفَّظٍ وَحَدِيثُ أَبْنِ عُمَرَ حَدِيثٌ حَسَنٌ صَحِيحٌ .

20 *Surah al-Isra* 17:34.

21 *Al-Adab Al-Mufrad* (Beirut: Dar Al-Kotob Al-Ilmiyah, 2004), p. 306:

حَدَّثَنَا عُمَرُ وَبْنُ خَالِدٍ، قَالَ: حَدَّثَنَا بَكْرٌ، عَنْ أَبِنِ عَجَلَانَ، أَنَّ وَهْبَ بْنَ كَيْسَانَ أَخْبَرَهُ، وَكَانَ وَهْبٌ أَدْرَكَ عَبْدَ اللَّهِ بْنَ عُمَرَ، أَنَّ أَبْنَ عُمَرَ رَأَى رَاعِيًّا وَعَنْهُمْ فِي مَكَانٍ قِبْلَيْجَ وَرَأَى مَكَانًا أَمْتَلَّ مِنْهُ فَقَالَ لَهُ: وَمَحَكَ، يَا رَاعِي، حَوْلَهَا، فَإِنِّي سَيِّعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: كُلُّ رَاعٍ مَسْتُوْلٌ عَنْ رَعِيَّتِهِ .

22 Al-Tabari, *Tarikh al-Rusul wa al-Muluk*, Vol. 4, pp. 1565-1570.

23 *Sunan al-Nasa‘i*, p. 518, hadith 4115.

24 Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, p. 19.

25 Ibn Hisham, *Al-Sirah al-Nabawiyah*, Vol. 4, pp. 984.

26 Ibid. p. 985.

27 *Sahih Muslim*, p. 635, hadith 1731a, b; *Sunan Ibn Majah*, Vol. 2, pp. 532-533, hadith 2858; *Jami‘ al-Tirmidhi*, Vol. 2, p. 279, hadith 1408.

28 *Sahih al-Bukhari*, p. 846, hadith 4261.

29 *Surah al-Imran* 3:159.

30 Muhammad Nazeer Ka Khel, “The Conceptual and Institutional Development of Shura in Early Islam”, *Islamic Studies*, Vol. 19, No. 4 (Winter 1980), pp. 271-282.

31 *Surah al-Shura* 42:38.

32 *Sunan Ibn Majah*, Vol. 2, p. 325, hadith 2318; *Sahih al-Bukhari*, p. 1406, hadith 7169; *Sahih Muslim*, p. 928, hadith 2601a; *Sunan Abu Dawud*, p. 452, hadith 3583; *Sunan al-Nasa‘i*, pp. 737-738, hadith 5424; et. al.

33 Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, p. 48.

34 Ibid, p. 53.

35 Ibid.

36 Ibid. Vol 3, p. 925.

37 *Surah al-Najm* 53:3-4.

38 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, p. 937; Ibn Sa‘d, *Kitab al-Tabaqat al-Kabir*, Vol. 2, p. 196.

39 *Sahih al-Bukhari*, pp. 1212, 1463, hadiths 6086, 7480.

40 *Sunan Abu Dawud*, p. 635, hadith 5128.

41 *Sahih al-Bukhari*, p. 1432, hadith 7307.

42 Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, p. 56.

43 Ibid. Vol. 2, p. 445.

44 Ibid. Vol. 1, pp. 208-2011.

45 Ibid. Vol. 2, p. 445.

46 Ibn Sa‘d, *Kitab al-Tabaqat al-Kabir*, Vol. 2, p. 81.

47 Joel Hayward, *Warfare in the Qur'an* English Monograph Series—Book No. 14 (Amman: Royal Islamic Strategic Studies Centre / Royal Aal al-Bayt Institute for Islamic Thought, 2012).

48 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, p. 885.

49 Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, pp. 193-195, 196-197, 402-403, 534-537.

50 *Surah al-Anfal* 8:60. Cf. *Sahih al-Bukhari*, p. 599, hadith 2977; *Sahih Muslim*, p. 965, hadith 2724; *Sunan al-Nasa‘i*, p. 58, hadith 432.

51 *Surah al-Anfal* 8:57. “في الحَرْبِ” is literally “in war”.

52 *Sahih al-Bukhari*, pp. 1376-1377, hadith 6998.

53 Cf. Al-Waqidi, *Kitab al-Maghazi*, Vol. 2, pp. 546-547.

54 *Sahih al-Bukhari*, p. 874, hadith 4416.

55 *Sunan Abu Dawud*, p. 597, hadith 4772; *Sunan al-Nasa'i*, p. 571, hadith 4091.

56 *Surah al-Baqarah* 2:249.

57 *Surah al-Imran* 3:169-170.

58 *Sahih Muslim*, p. 965, hadith 2724. See also *Sahih al-Bukhari*, p. 1268, hadith 6392.

59 *Surah al-Anfal* 8:57.

60 *Surah al-Ma'idah* 5:45.

61 *Jami' al-Tirmidhi*, Vol. 3, p. 531, hadith 1556:

حَدَّثَنَا قُبَيْلَةُ، حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، عَنْ يَزِيدَ بْنِ هُرْمَنَ، أَنَّ مَجْدَةَ الْمُؤْرِي، كَبَّ إِلَى أَبْنِ عَبَّاسٍ يَسَأَلُهُ هَلْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَغْرُوُ بِالنِّسَاءِ وَهَلْ كَانَ يَصْرِيبُ لَهُنَّ بِسَهْمٍ فَكَبَّ إِلَيْهِ أَبْنُ عَبَّاسٍ كَبَّ إِلَيْهِ شَالِيٌّ هَلْ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَغْرُوُ بِالنِّسَاءِ وَكَانَ يَغْرُوُ بِهِنَّ فَيُدَاُونَ الْمَرْضَى وَيُحَدِّدُونَ مِنَ الْفَنِيمَةِ وَأَمَّا بِسَهْمٍ فَلَمْ يَصْرِيبْ لَهُنَّ بِسَهْمٍ . وَفِي الْأَبَابِ عَنْ أَبِيسِ وَأُمِّ عَطِيَّةِ .

Cf. *Sahih al-Bukhari*, pp. 581-582, hadith 2882:

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا جَعْفَرُ بْنُ سُلَيْمَانَ، عَنْ ثَابِتٍ، عَنْ أَبِيسِ بْنِ مَالِكٍ، قَالَ كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَغْرُوُ بِأُمِّ سُلَيْمَانَ وَنِسْوَةٍ مِّنَ الْأَنْصَارِ مَعَهُ إِذَا غَرَّا فَيُسْقِيَنَ الْمَاءَ وَيُدَاُونَ الْجَنَاحِيَّ .

62 Al-Waqidi, *Kitab al-Maghazi*, Vol. 2, p. 709.

63 Ibid, Vol. 2, p. 685.

64 Ibn Hisham, p. 755.

65 Article 17 in *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 8 June 1977.

66 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, p. 516.

67 Ibid. Vol. 2, p. 778.

68 Ibid. Vol. 2, p. 758.

69 Ibid. Vol. 1, p. 392.

70 *Sahih al-Bukhari*, p. 605, hadith 3012:

حَدَّثَنَا عَلَيْهِ بْنُ عَبْدِ اللَّهِ، حَدَّثَنَا سُقِيَّاً، حَدَّثَنَا الرُّتْبَرِيُّ، عَنْ عُسَيْدِ اللَّهِ، عَنْ أَبْنِ عَبَّاسٍ، عَنِ الصَّعَبِ
بْنِ جَنَاحَةَ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ مَرْيَمُ التَّبَّيُّنِيُّ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالْأَبْوَاءِ - أُولَئِكَ الْأَبْوَاءُ -
وَسُسْتَلَ عَنْ أَهْلِ الدَّارِ بِيُسْتَلُونَ مِنَ الْمُشْرِكِينَ، فَيُصَابُ مِنْ نِسَائِهِمْ وَذَرَارِهِمْ قَالَ «هُمْ مِنْهُمْ». .
وَسَيِّدُهُمْ يَقُولُ «لَا جَنَاحَ لِأَلِلَّهِ وَرَسُولِهِ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ».

71 *Sahih al-Bukhari*, p. 593, hadith 2943:

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ، حَدَّثَنَا مُعاوِيَةُ بْنُ عَمْرِو، حَدَّثَنَا أَبُو إِسْحَاقَ، عَنْ حُمَيْدٍ، قَالَ سَمِعْتُ أَنَّهَا
- رَضِيَ اللَّهُ عَنْهُ - يَقُولُ كَانَ رَسُولُ اللَّهِ صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا غَرَّ قَوْمًا مَا يَغُرُّهُ حَتَّى يُصْبِحَ
إِنْ سَمِعَ أَذَانًا أَمْسَكَ، وَإِنْ لَمْ يَسْمَعْ أَذَانًا أَغَارَ بَعْدَ مَا يُصْبِحُ، فَنَزَّلَنَا خَيْرٌ لَيْلًا.

72 Al-Waqidi, *Kitab al-Maghazi*, Vol. 2, pp. 642-643. See also Vol. 1, p. 342, Vol. 2, p. 564, Vol. 2, p. 752.

73 Ibid. Vol. 1, p. 21.

74 Ibid. Vol. 1, p. 21.

75 Ibid. Vol. 1, p. 216.

76 *Sunan Abu Dawud*, p. 551, hadith 4406:

حَدَّثَنَا أَحْمَدُ بْنُ حَنْبَلٍ، حَدَّثَنَا يَحْيَى، عَنْ عُيْنِيْدِ اللَّهِ، قَالَ أَخْبَرَنِيْ تَافِعٌ، عَنْ أَبْنِ عُمَرَ، أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَرَضَهُ يَوْمَ أَحُدٍ وَهُوَ أَبْنُ أَرْبَعَ عَشَرَةَ سَنَةً فَلَمَّا بَيْحَرَهُ وَعَرَضَهُ يَوْمَ الْخَنْدِقِ وَهُوَ أَبْنُ حَمْسَ عَشَرَةَ سَنَةً فَأَجَازَهُ .

77 Cf. *Sunan al-Nasa'i*, p. 480, hadith 3461:

أَخْبَرَنَا عُيْنِيْدُ اللَّهِ بْنُ سَعِيدٍ، قَالَ حَدَّثَنَا يَحْيَى، عَنْ عُيْنِيْدِ اللَّهِ، قَالَ أَخْبَرَنِيْ تَافِعٌ، عَنْ أَبْنِ عُمَرَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَرَضَهُ يَوْمَ أَحُدٍ وَهُوَ أَبْنُ أَرْبَعَ عَشَرَةَ سَنَةً فَلَمَّا بَيْحَرَهُ وَعَرَضَهُ يَوْمَ الْخَنْدِقِ وَهُوَ أَبْنُ حَمْسَ عَشَرَةَ سَنَةً فَأَجَازَهُ .

Cf. *Sahih Muslim*, p. 690, hadith 1868a:

It was narrated on the authority of Ibn 'Umar, who said that the Messenger of Allah ﷺ inspected me on the battlefield on the Day of Uhud, when I was fourteen years old. He did not allow me [to take part in combat]. He inspected me on the day of al-Khandaq, at which time I was fifteen years old, and he permitted me [to fight]. Nafi' said: I came to 'Umar ibn 'Abd al-'Aziz who was then Caliph, and

narrated to him this tradition. He said: 'Surely, this is the demarcation between a minor and a major.' So he wrote to his governors that they should pay subsistence allowance to anyone who was fifteen years old, but should treat those of lesser age as being children.

حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ تُعْمِيرٍ، حَدَّثَنَا عَيْنَدُ اللَّهِ، عَنْ أَبِي عُمَرِ، قَالَ عَرَضَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ أَحُدٍ فِي الْقِتَالِ وَأَنَا أَبْنَى أَرْبَعَ عَشَرَةَ سَنَةً فَلَمْ يُخْرِنِي وَعَرَضَنِي يَوْمَ الْخَنْدِقِ وَأَنَا أَبْنَى حَمْسَ عَشَرَةَ سَنَةً فَأَجَازَنِي . قَالَ تَابَعْ فَقِيدَمُتُ عَلَى أَبِي عُمَرِ بْنِ عَبْدِ الْعَزِيزِ وَهُوَ يَوْمَ الْخَلِفَةِ حَدَّثَنِي هَذَا الْحَدِيثُ فَقَالَ إِنَّ هَذَا لَحْدُّ يَوْمِ الصَّغِيرِ وَالْكَبِيرِ . فَكَسَبَ إِلَى عَمَالِهِ أَنْ يَفْرِضُوا لِمَنْ كَانَ أَبْنَى حَمْسَ عَشَرَةَ سَنَةً وَمَنْ كَانَ دُونَ ذَلِكَ فَأَجْعَلُوهُ فِي الْعِتَالِ .

78 *Sunan abu Dawud*, p. 337, hadith 2669:

حَدَّثَنَا أَبُو الْوَلِيدِ الظَّبَابِلِيُّ، حَدَّثَنَا عُمَرُ بْنُ الْمُرَّاجِ بْنُ صَنْفَيِّ بْنِ رَبَّاجٍ، حَدَّثَنِي أَبِي، عَنْ جَدِّهِ رَبَّاجِ بْنِ رَبِيعٍ قَالَ كَمَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي غَرْوَةِ فَرَأَى النَّاسَ مُجْتَمِعِينَ عَلَى شَيْءٍ فَبَعَثَ رَجُلًا فَقَالَ «اُنْظِرْ عَلَامَ اجْتَمَعَ هُؤُلَاءِ» فَجَاءَ فَقَالَ عَلَى امْرَأَةٍ قُتْلِ . فَقَالَ «مَا كَانَتْ هَذِهِ لِتُقْتَلَ». قَالَ وَعَلَى الْمُقْدَمَةِ حَالِدُ بْنُ الْوَلِيدِ فَبَعَثَ رَجُلًا فَقَالَ «فُلْ لِخَالِدٍ لَا يَقْتَلَنَّ امْرَأَةً وَلَا عِسِيقًا» .

79 Muhammad ibn 'Ali ibn Muhammad al-Shawkani, *Al-Sayl al-Jarrar al-Mutadaffiq 'ala Hada'iq al-Azhar* (Beirut: Dar al-Kutub al-'Ilmiyyah, 1984), Vol. 4, p 532; Muhammad Munir, "The Protection of Civilians in War: Non-Combatant Immunity in Islamic Law", *Hamdard Islamicus*, Vol. 34, No. 4 (October-December 2011), p. 11.

80 Ella Landau-Tasseron, "Non-Combatants" in Muslim Legal Thought", *Research Monographs on the Muslim*

World, Series No 1, Paper No 3 (New York: Hudson Institute's Center on Islam, Democracy, and the Future of the Muslim World, December 2006), pp. 8-9; Ahmed Mohsen Al-Dawood, *The Islamic Law of War: Justifications and Regulations* (Palgrave Series in Islamic Theology, Law, and History, 2011), p. 115.

81 Munir, "The Protection of Civilians in War", p. 11; Al-Dawood, *The Islamic Law of War*, pp. 115-116; Mohamed Elewa Badar, "Ius in Bello under Islamic International Law", *International Criminal Law Review*, 13 (2013) pp. 593-625.

82 Al-Waqidi, *Kitab al-Maghazi*, Vol. 2, p. 885-915.

83 Al-Dawood, *The Islamic Law of War*, p. 114.

84 Al-Shawkani, *Al-Sayl al-Jarra*, Vol. 4, p. 533.

85 Cf. *Sunan an-Nasa'i*, p. 364, hadith 2627:

أَخْبَرَنِي مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ عَبْدِ الْحَكَمِ، عَنْ شَعِيبٍ، عَنْ الْلَّيْثِ، قَالَ حَدَّثَنَا خَالِدٌ، عَنْ أَبِي أَبِي هَلَالٍ، عَنْ يَزِيدَ بْنِ عَبْدِ اللَّهِ، عَنْ مُحَمَّدِ بْنِ إِرَاهِيمَ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ «جِهَادُ الْكَبِيرِ وَالصَّغِيرِ وَالضَّعِيفِ وَالْمَرْأَةِ الْحَجُّ وَالْعُمَرَةُ».

86 Al-Dawood, *The Islamic Law of War*, p. 114.

87 *Al-Muwatta Iman Malik ibn Anas* (Cairo: Dar al-Hadith, 2005), page 319, Book 21, Chapter 3, Hadith 10:

"Do not kill a woman or a child or an aged person. Do not

cut down fruit-bearing trees. Do not destroy any place of dwelling. Do not slaughter sheep or camels, except [if you need them] for food. Do not burn bees and do not scatter them. Do not steal from the booty, and do not be cowardly.”

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، أَنَّ أَبَا بَكْرَ الصَّدِيقَ، بَعْدَ جِيُوشًا إِلَى الشَّامِ فَرَجَ يَمْشِي مَعَ يَزِيدَ بْنِ أَبِي سَفْيَانَ - وَكَانَ أَبِيرَ رُبْعَ مِنْ تِلْكَ الْأَرْبَاعِ - فَرَعَوْا أَنَّ يَزِيدَ قَالَ لَأَبِي بَكْرٍ إِمَّا أَنْ تَرْكَبَ وَإِمَّا أَنْ تَرْتَلَ. فَقَالَ أَبُو بَكْرٍ مَا أَنْتَ بِنَازِلٍ وَمَا أَنَا بِرَاكِبٍ إِلَيْ أَحْسِبُ خُطَايَيْ هَذِهِ فِي سَيْلِ اللَّهِ ثُمَّ قَالَ لَهُ إِنَّكَ سَتَسْجُدُ قَوْمًا رَعَوْا أَنَّهُمْ حَبَسُوا أَنفُسَهُمْ لِلَّهِ فَذَرْهُمْ وَمَا رَعَوْا أَنَّهُمْ حَبَسُوا أَنفُسَهُمْ لَهُ وَسَتَسْجُدُ قَوْمًا فَصُوْرُهُمْ أَوْسَاطٌ رُءُوسُهُمْ مِنَ الشَّعَرِ فَاضْرِبْ مَا فَصُوْرُهُمْ بِالسَّيْفِ وَإِنِّي مُوصِيكَ بِعَشَرِ لَا تَقْتَلَ امْرَأَةً وَلَا صَيْبَانِي وَلَا كَبِيرًا هَرِمًا وَلَا تَقْطَعْنَ مَيْرَجَ مُشْرِّداً وَلَا مُخْرِجَ عَامِراً وَلَا تَعْرِنَ شَاهَةً وَلَا يَعِيرَ إِلَيْنَا كُلَّهُ وَلَا تُخْرِقَنَ حَلَالًا وَلَا تُغْرِفَنَهُ وَلَا تَعْلُلَ وَلَا تَجْنِنَ.

88 Al-Tabari, *Tarikh al-Rusul wa al-Muluk*, Vol. 2, p. 518.

89 Al-Waqidi, *Kitab al-Maghazi*, Vol. 2, p. 758.

90 *Surah al-Hajj* 22:40.

91 Lane, *Arabic-English Lexicon*, Vol. 2, p. 2155.

92 Al-Tabari, *Tarikh al-Rusul wa al-Muluk*, Vol. 2, pp. 659-660.

93 Abd Al-Fattah El-Awaisi, “Umar's Assurance of Safety to the people of Aelia (Jerusalem): A Critical Analytical study of the Historical Source”, *Journal of Islamic Jerusalem Studies*, Vol. 3, No. 2 (Summer 2000), pp. 47-89.

94 Cf. Pnina Sharvit Baruch and Noam Neuman, "Warning Civilians Prior to Attack under International Law: Theory and Practice", in Raul A. Pedrozo and Daria P. Wollschlaeger, eds., *International Law and the Changing Character of War*, Volume 87 of *International Law Studies* (2011), pp. 359-412.

95 *Surah al-Hashr* 59:2.

96 Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, p. 374.

97 Cf. Joel Hayward, *War is Deceit: An Analysis of a Contentious Hadith on the Morality of Military Deception* MBDA English Monograph Series - Book No. 24 (Amman: Royal Islamic Strategic Studies Centre, 2017).

98 Cf. Ibn Hisham, *As-Sirah an-Nabawiyyah*, p. 626.

99 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, pp. 929, 931-932.

100 Ibid. Vol. 3, p. 929.

101 Cf. *Surah al-Anfal* 8:16.

102 Al-Waqidi, *Kitab al-Maghazi*, Vol. 3, p. 990.

103 Ibid. Vol. 1, p. 13; Ibn Hisham, *Al-Sirah al-Nabawiyyah*, Vol. 2, p. 214.

104 Cf. Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, p. 403, Vol. 2, pp. 534, 564, 728, 753, 755, 778, Vol. 3, p. 981.

105 Ibid. Vol. 1, p. 342.

106 Ibn Hisham, *Al-Sirah al-Nabawiyah*, Vol. 3, pp. 389-390.

107 Al-Waqidi, *Kitab al-Maghazi*, Vol. 1, p. 338.

108 Ibid. Vol. 2, pp. 486-487.

109 Ibid. Vol. 2, pp. 488-489.

110 Ibid. Vol. 2, p. 536.

111 Ibid. Vol. 2, p. 585.

112 Ibn Hisham, *Al-Sirah al-Nabawiyah*, Vol. 3, pp. 359.

113 Al-Waqidi, *Kitab al-Maghazi*, op. cit., Vol. 2, p. 642.

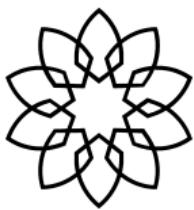
114 Ibid. Vol. 2, p. 796.

115 Ibid.

116 Ibid.

117 Ibid.

118 Ibid. Vol. 2, p. 814.





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